

# ZONING ORDINANCE



*J. M. M.*  
*Headquarters, Historical Society of Talbot County, Maryland Inc. - circa 1790*

## EASTON, MARYLAND

ZONING ORDINANCE

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Prepared by

THE MAYOR AND THE TOWN COUNCIL  
of Easton, Maryland

by the

EASTON PLANNING AND ZONING COMMISSION

Assisted by

THE MARYLAND DEPARTMENT OF STATE PLANNING  
Vladimir A. Wahbe, Secretary

Adopted by the Town Council on February 16, 1976  
to take effect on March 8, 1976.

Ordinance Number 6 - (N-2)

Amended October 15, 1979	Ordinance Number 6 (A-4)
Amended October 6, 1980	Ordinance Number 6 (A-7) 6 (A-8)
Amended January 5, 1981	Ordinance Number 6 (A-9)
Amended October 12, 1981	Ordinance Number 6 (A-14)
Amended November 9, 1981	Ordinance Number 6 (A-13)
Amended March 6, 1982	Ordinance Number 6 (A-14)
Amended May 24, 1982	Ordinance Number 6 (A-15)
Amended November 8, 1982	Ordinance Number 6 (A-17)
Amended December 5, 1983	Ordinance Number 6 (A-19)
Amended October 1, 1984	Ordinance Number 6 (A-24)
Amended December 9, 1985	Ordinance Number 6 (A-25)
Amended March 10, 1986	Ordinance Number 6 (A-27)

The preparation of this document was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development, as administered by the Maryland Department of State Planning.

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SECTION 100 ESTABLISHMENT OF ZONES  
PROVISION FOR OFFICIAL ZONING MAP

- 100-A. Official Zoning Map -- The incorporated areas of the Town are hereby divided into zones, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance.

The Official Zoning Map shall be identified by the signature of the Mayor and Council attested by the Town Clerk, and bearing the seal of the Town under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 100 of the Zoning Ordinance of the Town of Easton, Maryland," together with the date of the adoption of this ordinance.

If, in accordance with the provisions of this ordinance and Article 66B, Revised, Annotated Code of Maryland, changes are made in zone boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made or noted by ordinance number on the Official Zoning Map promptly after the amendment has been approved by the Mayor and Town Council, together with an entry in the amending ordinance as follows: "On (date), by official action of the Town Council, the following (change or changes) were made in the Official Zoning Map: (brief description of nature of change)," which entry shall be signed by the Mayor and Council and attested by the Town Clerk. The amending ordinance shall provide that such changes or amendments shall not become effective until they have been duly entered or noted upon the Official Zoning Map. No amendment to this ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been noted on said map.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided under Section 16 of this ordinance.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the Town Clerk shall be the final authority as the current zoning status of land and water areas, buildings, and other structures in the Town.

- 100-B. Replacement of Official Zoning Map -- In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Town Council may by



resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map.

The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original zoning district or ordinance or any subsequent amendment thereof. The Planning Commission shall certify as to the accuracy of the new Official Zoning Map prior to its adoption by the Mayor and Council. The new Official Zoning Map shall be identified by the signatures of the Mayor and Council attested by the Town Clerk, and bearing the seal of the Town under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of the Zoning Ordinance of the Town of Easton, Maryland."

## SECTION 200 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

200-A. Where uncertainty exists as to the boundaries of zones as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following town limits shall be construed as following town limits;
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, creeks, lakes, or other bodies of water shall be construed to follow such center lines;
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map;
7. Where a lot of one acre or less is divided by one or more zone boundary lines, and where more than fifty percent of said lot lies within a more intensive use district, the lot shall be considered as entirely within the more intensive use district. This provision shall not be interpreted to, in effect, re-zone any area to a less intensive use. This provision shall not apply to any lot of more than one acre, and in such cases, the provisions of each zoning district shall apply.
8. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections 1 through 6 above, the Board of Appeals shall interpret the zone boundaries.

## SECTION 300 APPLICATION OF REGULATIONS

300-A. The regulations set by this ordinance within each zone shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

1. No building, structure, or land shall hereinafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered internally or externally, unless in conformity with all the regulations herein specified for the zone in which it is located.
2. No building or other structure shall hereafter be erected or altered:
  - a. to exceed the height;
  - b. to accommodate or house a greater number of families;
  - c. to occupy a greater percentage of lot area;
  - d. to have narrower or smaller rear yards, front yards, side yards, or other open spaces;than herein required; or in any other manner contrary to the provisions of this ordinance.
3. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building, except in accordance with paragraph 601-E.
4. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.

SECTION 400 NON-CONFORMING LOTS, NON-CONFORMING USES OF  
LAND, NON-CONFORMING STRUCTURES, AND NON-  
CONFORMING USES OF STRUCTURES AND PREMISES

- 400-A. Intent -- Within the zones established by this ordinance or amendments that may later be adopted there exist lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendment.

It is the intent of this ordinance not to encourage the survival of non-conformities. Such uses are declared by this ordinance to be incompatible with permitted uses in the zones involved. It is further the intent of this ordinance that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same zone.

A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of a structure and land shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited in the zone involved.

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

- 400-B. Non-Conforming Lots of Record -- In any zone in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to



meet the requirements for area, or width, or both, that are generally applicable in the zone, provided that yard dimensions shall conform to the regulations for the zone in which such lot is located. Any variance of yard requirements shall be obtained only through action of the Board of Appeals.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by this ordinance, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this ordinance.

400-C. Non-Conforming Uses of Land -- Where, at the effective date of adoption or amendment of this ordinance, lawful use of land exists that is made no longer permissible under the terms of this ordinance as enacted or amended, such use may be continued, subject to the provisions of Section 400 - E so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance;
2. No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance;
3. If any such non-conforming use of land ceases for any reason for a period of more than 6 months, any subsequent use of such land shall conform to the regulations specified by this ordinance for the zone in which such land is located.

400-D. Non-Conforming Structures -- Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued subject to Section 400-E so long as it remains otherwise lawful subject to the following provisions:

1. No such structure may be enlarged or altered in a way which increases its non-conformity;
2. Should such structure be destroyed by any means to an extent of more than 100% of its assessed value at the time of destruction as determined by two competent appraisers appointed by the Planning and Zoning Commission, it shall not be reconstructed except in conformity with the provisions of this ordinance. Provided, that any non-conforming single or two-family dwelling use located on any lot in the CR or R7A districts which is or has been destroyed through condemnation, fire or other catastrophe to an extent of more than 100% of its assessed value at the time of its destruction may continue said use as long as a single-family or two-family residence is constructed and made available for occupancy on said lot within eighteen (18) months of the date of its destruction even though such lot fails to meet the requirements for area, or width, or both, that are generally applicable in the district.
3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the zone in which it is located after it is moved.

400-E. Non-Conforming Uses of Structures -- If a lawful use of a structure or of structure and premises in combination, exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the zone under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this ordinance in the zone in which it is located except dwellings, shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the zone in which it is located;
2. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building;
3. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the zone in which such structure is located, and the non-conforming use may not thereafter be resumed;
4. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six (6) consecutive months shall not thereafter be used except in conformance with the regulations of the zone in which it is located;
5. Where non-conforming use status applies to a structure

and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

400-F. Elimination of Certain Non-Conformities -- Certain non-conformities shall be terminated in accordance with the following provisions:

1. Within not more than five years from the effective date of this ordinance or amendment of this ordinance all non-conforming off-site signs shall be removed.
2. Removal of a non-conforming mobile home or trailer shall constitute loss of non-conforming status for the site on which said non-conforming trailer or mobile home was located.

400-G. Special Exception Uses Not Non-Conforming Uses -- Any use for which a special exception is permitted as provided in this ordinance shall not be deemed a non-conforming use, but shall without further action be deemed a conforming use in such zone.

400-H. Non-Conforming Yards and Setback -- Whenever an existing structure does not conform to the yard or setback requirement, repair and maintenance can be performed provided that the existing yards or setbacks are not reduced or altered. No such existing yard or setback may be altered without approval of the Board of Appeals.

## SECTION 500 DISTRICT REGULATIONS

Consistent with the authority granted by Article 66B of the Maryland Code, the Town Council has divided all lands within the corporate limits into the following zoning districts. Sections 501 through 510 set forth the uses, standards and regulations for each district. The uses, standards and location of each district are generally consistent with the guidelines of the Comprehensive Development Plan for the Town.

### SECTION 501 A-1 - AGRICULTURAL DISTRICT

501-A. Purpose: It is the purpose of this district to encourage the preservation of land within the area of extra territorial zoning authority of the Town of Easton for use as agricultural. Regulations and standards stated herein are intended to promote a full range of agricultural and related activities. The district provides for farm oriented low density development as well as community facilities necessary for protection of area residents.

501-B. The following are Permitted Uses:

1. Agriculture and the usual agricultural activities and accessory buildings, including farm offices, stables, non-commercial horse training tracks, nurseries, greenhouses; the raising of poultry, poultry products and livestock, provided, however, that all structures and pens, except pastures, are located two hundred (200) feet from any lot line.
2. Dwellings, single-family detached, but not including mobile homes.
3. Signs, on-site, in accordance with the provisions of Section 606.

501-C. The following are permitted as Accessory Uses and Structures:

1. Private garage, stable, barn and other similar structures normally accessory to principal permitted uses or authorized conditional use, provided that no structures for the housing of animals is located within any yard or setback area.
2. Home occupations in accordance with definition standards, Section 1800-B8.
3. Home professional offices in accordance with definition standards, Section 1800-B9.
4. The construction and/or open storage of not more than one (1) travel trailer and not more than one (1) boat on a residential lot.



5. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.
6. Fences.

501-D. The following uses are permitted as Special Exceptions

1. Cemeteries, including such accessory uses as mausoleums and crematories, provided any mausoleum or crematory shall be distant at least four hundred (400) feet from adjacent property and road lines, and provided further that any new cemetery, not located in a church yard, shall contain an area of forty (40) acres or more. All graves or burial lots must meet minimum setback requirements.
2. Churches and parish halls, funeral homes, temples, convents and monasteries on a minimum of five (5) acres.
3. Commercial kennels, which are a part of a residential or agricultural use on the same site, on a minimum site of ten (10) acres, for the raising, breeding or boarding of dogs and other animals, provided that all buildings and runways shall be distant at least two hundred (200) feet from any lot line.
4. Country clubs, gun clubs, private lodges, and golf courses, on a site of ninety (90) acres, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business; but including a building for a golf shop, locker room, and snack bar as accessory uses.
5. Mining of sand and gravel, non-commercial, provided that all uses shall be rehabilitated upon completion in accordance with a pre-established Site Plan.
6. Non-profit, non-commercial parks and recreation areas, including clubs, parks, lodges, and swimming pools.
7. Non-profit conservation areas, including wildlife reservations, arboretums, and reforestation areas.
8. Sawmills, temporary, for the harvesting of timber grown on the premises.
9. Sewage treatment facilities, or solid waste disposal areas, on a minimum site of twenty (20) acres, provided such structures and areas shall be distant at least six hundred (600) feet from any lot.

10. Stable, commercial, provided that the lot area is twenty (20) acres or more; that any buildings for keeping of animals shall be located at least two hundred (200) feet from any lot lines.
11. Wayside stands for the sale of farm products raised on the premises; setback forty (40) feet from the nearest road and subject to annual renewal.

501-E. Development Standards

1. The minimum lot size for all uses hereinafter established shall be not less than one (1) acre.
  - a. Minimum lot sizes: All lots hereafter established shall be not less than one (1) acre.
  - b. Minimum lot dimensions: All lots hereafter established shall have a width of not less than one hundred (100) feet and depth of not less than one hundred (100) feet.
  - c. Lot frontage: Each lot hereafter established shall have a minimum frontage on a public street or way of thirty (30) feet.
2. No more than one principal use shall be permitted on an individual lot.
3. Off-street parking shall be provided for all uses in accordance with the standards of Section 601.
4. Minimum yards and setbacks: Each main structure, all accessory structures and any use, shall be set back a minimum of fifty (50) feet from any public or private accessway and/or navigable waters; and eight (8) feet from all other lot lines, except that boat-houses, docks, and wharfs may be erected on a shore line, eight (8) feet from any other boundary line and fences may be located on the rear and side lot lines but no closer to the front lot line than the minimum front setback.
5. Height limitations - thirty-five (35) feet.
6. Lot coverage: By all buildings and structures shall not exceed ten (10%) percent of the lot area.

SECTION 502 - R-7A - RESIDENTIAL DISTRICT

502-A. Purpose: It is the purpose of this district to encourage the development of areas for selected residential uses consistent with standards already established. The district will provide land areas for high and medium density residential development with a variety of housing types including multi-family dwellings.

502-B. The following are Permitted Uses:

1. Agriculture and the usual agricultural buildings, farm offices, provided no structures are located within two hundred (200) feet from any lot lines.
2. Cluster developments of permitted single and two-family dwellings provided that a Site Plan is approved by the Planning Commission and all open space requirements of Section 612 are met. In approving the Site Plan, the Commission may reduce the required setbacks to one-half ( $\frac{1}{2}$ ) of those required for permitted dwelling units. All cluster developments shall be consistent with the provisions of Section 607.
3. Dwellings, single-family detached, but not including mobile homes.
4. Dwellings, two-family, on a minimum lot of 11,250 square feet with a minimum width of ninety (90) feet and minimum depth of one hundred and twenty-five (125) feet.
5. Schools, public or private, on a minimum of five (5) acres having a curriculum and conditions under which teaching is conducted equivalent to a public school.
6. Signs, on site, in accordance with the provisions of Section 606.

502-C. The following are permitted as Accessory Uses and Structures:

1. Private garage, and other similar structures normally accessory to principal permitted uses or authorized conditional use.
2. The construction and/or open storage of not more than one (1) travel trailer, and not more than one (1) boat, on a residential lot.
3. Home occupations in accordance with the definition standards, Section 1800-B8.

4. Home professional offices in accordance with definition standards, Section 1800-B9.
5. Fences.
6. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

502-D. The following uses are permitted as Special Exceptions:

1. Cemeteries, including such accessory uses as mausoleums and crematories, provided any mausoleum or crematory shall be distant at least four hundred (400) feet from adjacent property lines and road lines, and provided further that any new cemetery, not located in a church yard, shall contain an area of forty (40) acres or more. All graves or burial lots must meet minimum setback requirements.
2. Churches and parish halls, funeral homes, temples, convents, and monasteries on a minimum of five (5) acres.
3. Cluster development, with multi-family dwellings, on a minimum site of five (5) acres in accordance with the provisions of Sections 607 and 612 provided that the application is reviewed by the Planning Commission.
4. Dwellings, multi-family; on a minimum lot of fifteen thousand (15,000) square feet with a minimum width of one hundred twenty (120) feet and minimum depth of one hundred twenty-five (125) feet provided that the application is reviewed by the Planning Commission.
5. Hospitals, sanitoriums, rest homes and nursing homes, and other institutions for human care and the treatment of non-contagious diseases, provided that any new establishment shall have a minimum lot area of ten (10) acres and any power house, storage or service building shall be distant not less than two hundred (200) feet from any other lot line.
6. Golf courses, on a site of ninety (90) acres minimum, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business; but including a building for a golf shop, locker room and snack bar as accessory uses.
7. Libraries.
8. Nursery or day care facilities.



502-E. Development Standards

1. The minimum lot size for all uses hereafter established shall be 7,500 square feet.
  - a. Minimum lot sizes: All lots hereafter established shall be not less than 7,500 square feet in area.
  - b. Minimum lot dimensions: All lots hereinafter established shall have a width of at least sixty (60) feet and a depth of at least one hundred (100) feet.
  - c. Lot Frontage: Each lot hereinafter established shall have a minimum frontage on a public street or way of thirty (30) feet.
2. No more than one principal use shall be permitted on an individual lot.
3. Off-street parking shall be provided for all uses in accordance with the standards of Section 601.
4. Minimum yards and setbacks for all uses and structures shall be:
  - a. Front yard and setback - twenty-five (25) feet.
  - b. Rear yard and setback - eight (8) feet. (except for fences)
  - c. Side yards and setback - two side yards - eight (8) feet. (except for fences)
5. Height limitations - thirty-five (35) feet.
6. Lot coverage by all buildings and structures shall not exceed twenty (20%) percent of the lot area.
7. Maximum density will be in accordance with the requirements of Section 608D.

SECTION 504 - R-10A - RESIDENTIAL DISTRICT

504-A. Purpose: It is the purpose of this district to provide for the continued development of existing and new residential areas. The district will provide land areas suitable for medium density residential use with a variety of housing types.

504-B. The following are Permitted Uses:

1. Agriculture and the usual agricultural buildings, farm offices, commercial and non-commercial nurseries and greenhouses; provided no structure for housing animals shall be located within two hundred (200) feet from any lot lines.
2. Cluster developments of permitted single and two-family dwellings provided that a Site Plan is approved by the Planning Commission and all open space requirements of Section 612 are met. In approving the Site Plan, the Commission may reduce the required setbacks to one-half ( $\frac{1}{2}$ ) of those required for permitted dwelling units. All cluster developments shall be consistent with the provisions of Section 607.
3. Dwellings, single-family detached; but not including mobile homes.
4. Dwellings, two-family, on a minimum lot of 20,000 square feet with a minimum width of one hundred (100) feet and minimum depth of one hundred and fifty (150) feet.
5. Schools, public or private, on a minimum of five (5) acres, having a curriculum and conditions under which teaching is conducted equivalent to a public school.
6. Signs, on-site, as provided in Section 606.
7. Y.M.C.A., Y.W.C.A. or similar public or quasi public uses on a minimum of 7.5 acres.

504-C. The following are permitted as Accessory Uses and Structures:

1. Private garage, stable, barn and other similar structures normally accessory to principal permitted uses or authorized conditional use, provided that no structures for the housing of animals is located within any yard or setback area.
2. Home occupations in accordance with definition standards Section 1800-B8.
3. Home professional offices in accordance with definition standards, Section 1800-B9.

4. The construction and/or open storage of not more than one (1) travel trailer, and not more than one (1) boat on a residential lot.
5. Fences
6. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

504-D. The following uses are permitted as Special Exceptions:

1. Cemeteries, including usch accessory uses as mausoleums and crematories, provided any mausoleum or crematory shall be distant at least four hundred (400) feet from adjacent property lines and road lines, and provided further that any new cemetery, not located in a church yard, shall contain an area of forty (40) acres or more. All graves or burial lots must meet minimum setback requirements.
2. Cluster development with multi-family dwellings on a minimum site of five (5) acres in accordance with the provisions of Sections 607 and 612, provided that the application is reviewed by the Planning Commission.
3. Churches and parish halls, funeral homes, temples, convents and monasteries on a minimum of five (5) acres.
4. Dwellings, multi-family, in accordance with the provisions of Section 608 on a minimum lot of 20,000 square feet with a minimum width of one hundred and fifty (150) feet and a depth of one hundred and fifty (150) feet, provided that the application is reviewed by the Planning Commission.
5. Hospitals, sanitoriums, rest homes and nursing homes, including the required accessory parking lots or structures, and other institutions for human care and the treatment of non-contagious diseases, provided that any new establishment shall have a minimum lot area of ten (10) acres and any power house, storage or service building shall be distant not less than two hundred (200) feet from any other lot line.
6. Golf courses, commercial or private, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room and snack bar as an accessory use to a permitted golf course; on a

minimum of ninety (90) acres. All structures shall be set back at least one hundred (100) feet from all adjoining lot lines.

504-D. The following uses are permitted as Special Exceptions:

7. Libraries.
8. Nursery or day care facilities.

504-E. Development Standards

1. The minimum lot size for all uses shall be 10,000 square feet.
  - a. Minimum lot sizes: All lots hereafter established shall be not less than 10,000 square feet in area.
  - b. Minimum lot dimensions: All lots hereafter established shall have a width of at least seventy (70) feet and a depth of at least one hundred (100) feet.
  - c. Lot frontage: Each lot hereinafter established shall have a minimum frontage on a public street or way of thirty-five (35) feet.
2. No more than one principal use shall be permitted on an individual lot.
3. Off-Street Parking shall be provided for all uses in accordance with the standards of Section 601.
4. Minimum yards and setbacks for all uses and structures:
  - a. Front yard - thirty (30) feet.
  - b. Rear yard - ten (10) feet. (except for fences)
  - c. Side yards - two side yards are required of eight (8) feet each. (except for fences)
5. Height Limitations - thirty-five (35) feet.
6. Lot coverage - by all buildings and structures shall not exceed twenty (20%) percent of the lot area.
7. Maximum density shall be in accordance with the requirements of Section 608D.

SECTION 505 - R-10M - RESIDENTIAL DISTRICT

505-A. Purpose: It is the intent of this district to provide for the continued development of existing and new residential areas. The district will provide land area suitable for medium density residential use with a variety of housing types including mobile homes.

505-B. The following are Permitted Uses:

1. Agriculture and the usual agricultural buildings, farm offices, commercial and non-commercial nurseries and greenhouses; provided no structure for housing animals shall be located within two hundred (200) feet from any lot lines.
2. Cluster developments of permitted single and two-family dwellings provided that a Site Plan is approved by the Planning Commission and all open space requirements of Section 612 are met. In approving the Site Plan, the Commission may reduce the required setbacks to one-half ( $\frac{1}{2}$ ) of those required for permitted dwelling units. All cluster developments shall be consistent with the provisions of Section 607.
3. Dwellings, single-family detached, but not including mobile homes.
4. Dwellings, two-family on a minimum lot of 15,000 square feet with a minimum width of one hundred (100) feet and minimum depth of one hundred (100) feet.
5. Schools, public or private, on a minimum of five (5) acres, having a curriculum and conditions under which teaching is conducted equivalent to a public school.
6. Signs, on-site, as provided in Section 606.

505-C. The following are permitted as Accessory Uses and Structures:

1. Private garage, and other similar structures normally accessory to principal permitted uses or authorized conditional use, provided that all structures for the housing of animals are not located within any required yard.
2. Home occupations in accordance with definition standards, Section 1800-B8.
3. Home professional offices in accordance with definition standards, Section 1800-B9.
4. The construction and/or open storage of not more than one (1) travel trailer and not more than one (1) boat on a residential lot.



5. Fences

6. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

505-D. The following uses are permitted as Special Exceptions:

1. Cemeteries, including such accessory uses as mausoleums and crematories, provided any mausoleum or crematory shall be distant at least four hundred (400) feet from adjacent property lines and road lines, and provided further that any new cemetery, not located in a church yard, shall contain an area of forty (40) acres or more. All graves or burial lots must meet minimum setback requirements.
2. Cluster development with multi-family dwellings on a minimum site of five (5) acres in accordance with the provisions of Sections 607 and 612, provided that the application is reviewed by the Planning Commission.
3. Churches and parish halls, funeral homes, temples, convents and monasteries on a minimum of five (5) acres.
4. Dwellings, multi-family, in accordance with the provisions of Section 608 on a minimum lot of 20,000 square feet with a minimum width of one hundred and fifty (150) feet and a depth of one hundred and fifty (150) feet, provided that the application is reviewed by the Planning Commission.
5. Hospitals, sanitoriums, rest homes and nursing homes, including the required accessory parking lots or structures, and other institutions for human care and the treatment of non-contagious diseases, provided that any new establishment shall have a minimum lot area of ten (10) acres and any power house, storage or service building shall be distant not less than two hundred (200) feet from any other lot line.
6. Golf courses, commercial or private, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room and snack bar as an accessory use to a permitted golf course; on a minimum of ninety (90) acres. All structures shall be set back at least one hundred (100) feet from all adjoining lot lines.
7. Libraries.
8. Nursery or day care facilities.

9. Mobile home subdivision or park developed on accordance with town regulations, provided that the application is reviewed by the Planning Commission.

505-E. Development Standards

1. The minimum lot size for all uses shall be 10,000 square feet where public sewerage and water systems are available.
  - a. Minimum lot sizes: All lots hereafter established shall be not less than 10,000 square feet in area.
  - b. Minimum lot dimensions: All lots hereafter established shall have a width of at least seventy (70) feet and a depth of at least one hundred (100) feet.
  - c. Lot frontage: Each lot hereinafter established shall have a minimum frontage on a public street or way of thirty-five (35) feet.
2. No more than one principal use shall be permitted on an individual lot.
3. Off-Street Parking shall be provided for all uses in accordance with the standards of Section 601.
4. Minimum yards and setbacks for all uses and structures:
  - a. Front yard - thirty (30) feet.
  - b. Rear yard - ten (10) feet. (except for fences)
  - c. Side yards - two side yards are required of eight (8) feet each. (except for fences)
5. Height limitations - thirty-five (35) feet.
- 6.. Lot coverage - by all buildings and structures shall not exceed twenty (20%) percent of the lot area.

## SECTION 506 - R-87 - WATERFRONT RESIDENTIAL DISTRICT

506-A. Purpose: It is the purpose of this district to recognize the existing large lot development pattern which is oriented to the natural waterways and scenic features of county land areas. The primary purpose of this district is to preserve the high quality, low density, residential character of these areas. In order to provide standards for guiding new development which is compatible with existing land uses, the following standards shall apply:

506-B. The following are Permitted Uses:

1. Agriculture and the usual agricultural activities and accessory buildings, including farm offices, stables, non-commercial horse training tracks, nurseries, greenhouses; the raising of poultry, poultry products and livestock, provided, however, that all structures and pens, except pastures, are located two hundred (200) feet from any lot line.
2. Dwellings, single-family detached, but not including mobile homes.
3. Signs, on site, in accordance with the provisions of Section 606.

506-C. The following are permitted as Accessory Uses and Structures:

1. Private garage, stable, barn and other similar structures normally accessory to principal permitted uses or authorized conditional use, provided that no structure for the housing of animals is located within any yard or setback area.
2. Home occupations in accordance with definition standards, Section 1800-B8.
3. Home professional offices in accordance with definition standards, Section 1800-B9.
4. The construction and/or storage of not more than one (1) travel trailer, on a residential lot.
5. Fences
6. Other accessory uses and structures clearly incidental and customary to and associated with permitted uses.

506-D. The following uses are permitted as Special Exceptions:

1. Golf courses, on a minimum of ninety (90) acres, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but

including a building for a golf shop, locker room and snack bar as an accessory use to a permitted golf course.

2. Private and non-profit conservation areas, including wildlife reservations, arboretums, and reforestation areas.
3. Private and non-profit parks and recreation areas, including clubs, lodges and swimming pools on a minimum site of five (5) acres.
4. Private and non-profit buildings and structures of a cultural or administrative type on a minimum site of five (5) acres.
5. Sewerage treatment or disposal facilities, public or private, provided such structures and areas shall be distant at least six hundred (600) feet from any lot line.

506-E. Development Standards:

1. Area requirements: Each main building together with accessory buildings or each use shall be on a tract of land not less than two (2) acres in area.
  - a. Minimum lot sizes: All lots hereafter established shall be not less than two (2) acres.
  - b. Minimum lot dimensions: All lots hereafter established shall have a minimum width of two hundred (200) feet with a minimum depth of two hundred (200) feet.
  - c. Lot frontage: Each lot hereinafter established shall have a minimum frontage on a public street or way of fifty (50) feet.
2. No more than one principal use shall be permitted on an approved lot.
3. Off-street parking shall be provided for all uses in accordance with the standards of Section 601.
4. Minimum yards and setbacks: Each main structure, all accessory structures and any use, shall be set back a minimum of fifty (50) feet from any public or private accessway; and/or navigable waterway, and eight (8) feet from all other lot lines, except that boat-houses, docks and wharfs may be erected on a shore line, eight (8) feet from any other boundary line and fences may be located on the rear and side lot lines but no closer to the front lot line than the minimum front setback.

5. Height limitations - thirty-five (35) feet.
6. Lot coverage - by all buildings and structures shall not exceed five (5%) percent of the lot area.



## SECTION 507 - CR - COMMERCIAL DISTRICT

507-A. Purpose: The purpose of this district is to provide appropriate locations for select commercial activities. Provision is made for the accommodation of a wide range of business pursuits, retail sales and office and service activities which serve the needs of citizens of the region. The district is designed to preserve, and to encourage the continued development of the Central Business Area consistent with the unique land use mix which currently exists.

Uses which may be potentially detrimental to a neighborhood for such reasons as odor, smoke, dust, fumes, fire, vibration, noise or hazardous conditions because of fire or explosion shall not be permitted.

507-B. The following are Permitted Uses:

1. Antique shops
2. Bakery, where products are baked and sold on the premises
3. Banks and other financial institutions
4. Cultural uses including museums, clubs, libraries, lodges, public meeting rooms
5. Funeral homes
6. Hotels
7. Offices and office buildings
8. Office park on a minimum lot of one (1) acre with a minimum frontage on a public street or way of one hundred (100) feet and a minimum depth of one hundred (100) feet.
9. Personal service businesses such as shoe repair shops, beauty parlors, barber shops; laundries and dry cleaning establishments which are self-service or pick-up stations only
10. Recreational uses within a structure including bowling alleys, billiard rooms, theaters and other related uses
11. Public or private utility uses
12. Restaurants, taverns and sandwich shops, excluding drive-in establishments

13. Retail stores, sales rooms and shops such as hardware stores, grocery stores, drug stores, variety stores, department stores, craft shops, furniture stores, liquor stores and florist shops

14. Signs, on-site, as provided in Section 606.

15. Studios for the teaching of art, music, drama, crafts

507-C. The following Accessory Uses and Structures are permitted:

1. Off-street parking lot or structure

2. Off-street loading facilities

3. Fences

4. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

5. Residences as an accessory use, provided that the number of units shall not exceed the density requirements of Section 608D.

507-D. The following are permitted as Special Exceptions:

1. Other uses which are determined by the Board to be of the same general character as those listed above and which will not be detrimental to permitted uses in the zone. In rendering a decision, the Board of Appeals must follow the procedures for granting a Special Exception.

2. Automobile parking lot or structure.

3. Buildings or structures in excess of gross floor area limit set in Sub-Section E provided that the application is reviewed by the Planning Commission.

4. Buildings in excess of the height and/or story limits prescribed in subsection (E) of this section provided that:

a. No such building shall exceed seventy-five (75) feet in height.

b. Every such building shall be of at least semi-fireproof construction, with adequate fire doors.

c. Every such building shall contain at least one (1) passenger elevator serving all stories above ground.

5. Dwellings, multi-family, on a minimum of 15,000 square feet, provided that the application is reviewed by the Planning Commission.
6. Dwellings, single-family, but not including mobile homes.
7. Dwellings, two-family, on a minimum lot of 11,250 square feet with a minimum width of ninety (90) feet and minimum depth of one hundred and twenty-five (125) feet.
8. Laundry or dry cleaning establishments where cleaning and laundry is done on the premises.
9. Light manufacturing incidental to a retail business where products are sold on the premises, with no more than five (5) employees engaged in manufacturing activities.
10. Non-alcoholic beverage bottling plant.
11. Rooming or boarding house.
12. Additional permitted uses on an approved lot.
13. Contained multi-use facility.

507-E. Development Standards

1. Minimum lot size for all uses shall be 5,000 square feet.
  - a. Minimum lot size - All lots hereafter established shall be not less than 5,000 square feet.
  - b. Minimum lot dimensions - All lots hereafter established shall have a width of at least sixty (60) feet with a depth of at least sixty (60) feet.
  - c. Lot frontage - All lots hereafter established shall have a minimum frontage on a public street or way of at least thirty (30) feet.
2. No more than one principal use shall be permitted on an approved lot unless authorized as a Special Exception by the Board of Appeals.
3. Off-Street Parking shall be provided for all uses in accordance with the standards of Section 601.
4. Minimum setback requirements for all lots and uses:
  - a. Front setback - All structures shall conform with setback lines which may be established by the Town Council.

b. Rear setback -

- (1) in previously developed areas in the commercial zone the existing or established rear building line of that block;
- (2) all buildings hereafter constructed in areas without an established rear building line in that block fifteen (15) feet from the rear property line. (except for fences)

c. Side setbacks - none.

5. Height limitations - fifty (50) feet.
6. Building or structure size - not to exceed twenty-five thousand (25,000) square feet of gross floor area.
7. Lot coverage - by all buildings and structures shall not exceed seventy (70%) percent.
8. Maximum density shall be in accordance with any specific provisions of Section 608-D applicable to this district.
9. Exterior lighting shall be diffused and directed away from any adjoining areas.
10. All off-street loading and unloading areas shall be screened from view by permanent, decorative screens or natural plantings, a minimum of eight (8) feet in height.

## SECTION 508 - C-1 - COMMERCIAL DISTRICT

508-A. Purpose: The purpose of this district is to provide appropriate locations for select commercial activities. Provision is made for the accommodation of a wide range of business pursuits, retail sales, and office and service activities which serve the needs of citizens of the region.

Uses which may be potentially detrimental to a neighborhood for such reasons as odor, smoke, dust, fumes, fire, vibration, noise or hazardous conditions because of fire or explosion shall not be permitted.

508-B. The following are Permitted Uses:

1. Antique shops
2. Bakery, where products are baked and sold on the premises
3. Banks and other financial institutions
4. Cultural uses including museums, clubs, libraries, lodges, public meeting rooms
5. Funeral homes
6. Hospitals, sanitoriums, rest homes and nursing homes, and other institutions for human care and the treatment of non-contagious diseases, provided that any new establishment shall have a minimum lot area of ten (10) acres and any powerhouse, storage or service building shall be distant not less than two hundred (200) feet from any other lot line.
7. Hotels and/or motels
8. Offices and office building
9. Office park on minimum lot of one (1) acre with a minimum frontage on a public street or way of one hundred (100) feet and minimum depth of one hundred (100) feet
10. Personal service businesses such as shoe repair shops, beauty parlors, barber shops, laundries and dry cleaning establishments which are self-service or pick-up stations only
11. Radio stations or broadcasting studios
12. Recreational uses within a structure including bowling alleys, billiard rooms, theaters and other related uses.



13. Public or private utility uses
14. Restaurants, taverns and sandwich shops, excluding drive-in establishments
15. Retail stores, sales rooms and shops such as hardware stores, grocery stores, drug stores, variety stores, department stores, craft shops, furniture stores, liquor stores and florist shops
16. Signs, on-site, as provided in Section 606
17. Studios for the teaching of art, music, drama, crafts

508-C. The following Accessory Uses and Structures are permitted:

1. Off-street parking lot or structure
2. Off-street loading facilities
3. Fences
4. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

508-D. The following are permitted as Special Exceptions:

1. Buildings or structures in excess of the gross floor area limit set in subsection (E) provided that the application is reviewed by the Planning Commission.
2. Buildings in excess of the height and/or story limits prescribed in subsection E of this section provided that:
  - a. no such building shall exceed seventy-five (75) feet in height;
  - b. every such building shall be of at least semi-fireproof construction, with adequate fire doors;
  - c. every such building shall contain at least one (1) passenger elevator serving all stories above ground.
3. Laundry or dry cleaning establishments where cleaning and laundry is done on the premises.
4. Light manufacturing incidental to a retail business where products are sold on the premises, with no more than five (5) employees engaged in manufacturing activities.
5. Non-alcoholic beverage bottling plant

6. Other uses which are determined by the Board to be of the same general character as those listed above and which will not be detrimental to permitted uses in the zone. In rendering a decision, the Board of Appeals must follow the procedures for granting a Special Exception.
7. Rooming or boarding house
8. Shopping centers, regional, community or neighborhood, on minimum site of one (1) acre with a minimum frontage on a public street or way of one hundred (100) feet with a minimum depth of one hundred (100) feet, provided that all Site Plans are viewed by the Planning Commission.
9. Additional permitted uses on an approved lot.
10. Contained multi-use facility.

508-E. Development Standards

1. The minimum lot size for all uses shall be 5,000 square feet.
  - a. Minimum lot size: All lots hereafter established shall be not less than 5,000 square feet.
  - b. Minimum lot dimensions: All lots hereafter established shall have a width of at least sixty (60) feet and a depth of at least sixty (60) feet.
  - c. Lot frontage: Each lot hereafter established shall have a minimum frontage on a public street or way of thirty (30) feet.
2. No more than one principal use shall be permitted on an approved lot, unless authorized as a Special Exception by the Board of Appeals.
3. Off-Street Parking shall be provided for all uses in accordance with the standards of Section 601.
4. Minimum setback requirements for all lots and uses:
  - a. Front setback - All structures shall conform with the setback line as established by the Town Council; or twenty-five (25) feet from the front property line whichever is greater.
  - b. Rear setback
    - (1) in previously developed areas in the commercial zone the existing or established rear building line of that block. (except for fences)

(2) all buildings hereafter constructed in areas without an established rear line in that block fifteen (15) feet from the rear property line. (except for fences)

c. Side setbacks - A minimum of two side yards of fifteen (15) feet each or one side yard of 0 feet and one side yard of twenty (20) feet. (except for fences)

5. Height limitations - fifty (50) feet.

6. Building or structure size - not to exceed twenty-five thousand (25,000) square feet of gross floor area.

7. Lot coverage - by all buildings and structures shall not exceed fifty (50%) percent.

8. Exterior lighting shall be diffused and directed away from any adjoining areas.

9. All off-street loading and unloading areas shall be screened from view by permanent, decorative screens or natural plantings, a minimum of eight (8) feet in height.

SECTION 509 - C-2 - GENERAL COMMERCIAL DISTRICT

509-A. Purpose: The purpose of this district is to provide appropriate locations for a broad range of intensive commercial activities. Provision is made for the accommodation of a wide range of business pursuits, including retail, wholesale, storage and contracting activities.

Uses which may be potentially detrimental to a neighborhood for such reasons as odor, smoke, dust, fumes, fire, vibration, noise or hazardous conditions because of fire or explosion shall not be permitted.

509-B. The following are Permitted Uses:

1. Animal hospital or veterinary clinic, provided any structure or area used to house animals shall be distant at least fifty (50) feet from any lot line.
2. Automobile, farm equipment, trailer and marine products sales and services, provided that there is no open storage of junk or scrap materials.
3. Automobile parking lot and structure.
4. Bakery
5. Banks, and other financial institutions
6. Bottling or distribution stations for beverages
7. Recreational uses within a structure including bowling alleys, billiard rooms, theaters and other related uses.
8. Golf courses, miniature, driving ranges, and similar places of outdoor amusement.
9. Carpenter, sheet metal, sign, blacksmith, welding shops, provided all activities are conducted within a building or structure.
10. Car washes set back at least fifty (50) feet from any street line.
11. Cemeteries, including such accessory uses as mausoleum and crematories, provided any mausoleum or crematory shall be distant at least four hundred (400) feet from adjacent property and road lines, and provided further that any new cemetery, not located in a church yard, shall contain an area of forty (40) acres or more. No graves or burial lots shall be located within any yard as required herein for a dwelling.



12. Civic center
13. Cultural uses including museums, clubs, lodges, libraries
14. Commercial swimming pools
15. Drive-in eating or refreshment establishments
16. Greenhouses, florists and nurseries for the raising of plants.
17. Hotel, motel or motor hotel
18. Laundry for clothes and cleaning and dyeing establishments
19. Liquor stores
20. Memorial stone sales
21. Office park on minimum lot of one (1) acre with a minimum frontage on a public street or way of one hundred (100) feet and a minimum depth of one hundred (100) feet.
22. Offices and office buildings
23. Personal services businesses such as shoe repair shops, beauty parlors and barber shops, and laundries and dry cleaning establishments
24. Restaurants, taverns or sandwich shops
25. Retail stores and shops such as grocery stores, drug stores, variety stores, bakeries and other similar uses, provided that any such use shall not occupy a structure or building which exceeds 25,000 square feet of gross floor area
26. Roadside produce stands
27. Signs, on-site, as provided in Section 608
28. Stone or monument works located at least one hundred (100) feet from any lot line
29. Studios for the teaching of art, music, drama, crafts
30. Temporary storage and service facilities for transient trailers, camping trailers, tents and touring vans
31. Trucking and freight stations, terminals and storage yards; excluding the storage of flammable liquids except for servicing vehicles owned or used in the conduct of business



32. Visitor center or tourist information facility

33. Wholesale business, warehouses, storage and distribution establishments.

509-C. The following Accessory Uses and Structures are permitted:

1. Off-street parking lot or structure
2. Off-street loading facilities
3. The underground storage of flammable liquids for vehicles used in conduct of business of the principal use.
4. Fences
5. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

509-D. The following are permitted as Special Exceptions:

1. Buildings or structures in excess of the gross floor area limit set forth in Sub-Section E, provided that the application has been reviewed by the Planning Commission. This Sub-Section may not be used to permit retail stores, sales rooms and shops such as hardware stores, grocery stores, drug stores, variety stores, department stores, craft shops, furniture stores, liquor stores and florist shops in buildings or structures which exceed a total of 25,000 square feet of gross floor area.
2. Automobile repair garages and gasoline service stations subject to the following:
  - a. bulk storage of (in) flammable liquids shall be underground;
  - b. the entrance of exit at such establishments shall be at least fifty (50) feet from any lot zoned residential;
  - c. there shall be no open storage or accumulation of junk or scrap;
  - d. no structure or building shall be erected within thirty (30) feet of any dwelling.
3. Building materials and lumber yards, including incidental mill work including concrete mixing or the compounding or mixing of other building materials; provided they shall be distant at least two hundred (200) feet from any lot line.
4. Drive-in theaters, provided that the picture face of the screen shall be so located that the picture will not be visible from adjacent streets or highways and said screen shall be set back no less than one hundred (100) feet from the established right-of-way of any highway or road, and provided all parts of such screen shall be distant at least two hundred (200) feet from any lot line.

5. Hospitals, sanitoriums, rest homes and nursing homes, and other institutions for human care and the treatment of non-contagious diseases, provided that any new establishment shall have a minimum lot area of ten (10) acres and any powerhouse, storage or service building shall be distant not less than two hundred (200) feet from any other lot line.
6. Milling of grain and livestock feed and the mixing of fertilizer.
7. Manufacturing incidental to an existing retail business where articles are sold at retail on the premises and where not more than five (5) operatives are employed in such manufacturing.
8. Other uses which are determined by the Board of Appeals to be of the same general character as those listed above and which will not be detrimental to permitted uses in the zone. In rendering a decision, the Board of Appeals must follow the Special Exception procedures.
9. Research facilities and laboratories
10. Residential uses as accessory uses
11. Target ranges when completely enclosed within a building
12. Additional approved uses on an approved lot.
13. Contained multi-use facility.

509-E. Development Standards:

1. The minimum lot size for all uses hereafter established shall be 5,000 square feet.
  - a. Minimum lot size - All lots hereafter established shall be not less than 5,000 square feet.
  - b. Minimum lot dimensions - All lots hereafter established shall have a width of at least sixty (60) feet with a depth of at least sixty (60) feet.
  - c. Lot frontage - All lots hereinafter established shall have a minimum frontage on a public street or way of sixty (60) feet.
2. No more than one principal use shall be permitted on an approved lot, unless authorized as a Special Exception by the Board of Appeals.
3. Off-street parking shall be provided for all uses in accordance with the standards of Section 601.

4. Minimum setback requirements for all lots and uses:
  - a. Front setbacks - All structures hereafter constructed shall be set back twenty-five (25) feet from the front property line.
  - b. Rear setbacks -
    - (1) in previously developed areas in the commercial zone, the rear setback line shall be the existing or established building line in that block. (except for fences)
    - (2) all buildings hereafter constructed in areas without an established rear building line in that block shall be fifteen (15) feet from the rear property line. (except for fences)
  - c. Side setbacks - fifteen (15) feet from each property line; or one (1) side setback of 0 feet and one (1) side setback of twenty (20) feet. (except for fences)
5. Height limitations - fifty (50) feet.
6. Lot coverage - by all buildings and structures shall not exceed fifty (50%) percent.
7. Building or structure size - not to exceed twenty-five thousand (25,000) square feet of gross floor area.
8. Exterior lighting shall be diffused and directed away from any adjoining areas.
9. All off-street loading and unloading areas shall be screened from view by permanent decorative screens or natural plantings and shall be a minimum of eight (8) feet in height.

SECTION 510 - I-1 - SELECT INDUSTRIAL DISTRICT

510-A. Purpose: The purpose of this district is to provide areas for industrial use which can operate in a clean and quiet manner. Certain public facilities needed to serve the district and adjoining residential and commercial districts are permitted. Regulations are designed to protect abutting or surrounding districts; to establish standards for intensity of use and to guide the character of development. In keeping with the purpose of this district, no use may be permitted which may be detrimental to the area because of od or, smoke, dust, fumes, fire, noise, explosion or outside storage.

510-B. The following are Permitted Uses:

1. Agriculture and the usual agricultural buildings, farm offices, commercial and non-commercial nurseries and greenhouses; provided that no structure for the housing of animals be located within two hundred (200) feet from any lot line.
2. Assembling of a finished product using the following prepared materials: bone or shell, cellophane, fur, glass, leather, plastics, precious or semi-precious metals or stones, rubber textiles or cloth products, tobacco, wood and wood products, provided there is no outside storage.
3. Manufacture of a finished product or assembling from prepared materials of the following: musical instruments, clocks or watches, toys or novelties, electrical appliances electronic devices and office equipment, provided there is no outside storage.
4. Manufacture of ceramic products, excluding building materials, using only previously pulverized clay and kilns fired by electricity or gas, provided that there is no outside storage.
5. Office buildings for professional, administrative, educational or medical activities.
6. Printing and publishing plants.
7. Public or privately owned buildings of an administrative, cultural or educational nature.
8. Research, experimental, or testing laboratories but not including facilities for the development or manufacture of high explosive, toxic, or radioactive materials.
9. Signs, on-site, as provided in Section 606.
10. Utility buildings, public or private, with no outside storage.

11. Warehousing wholesale businesses, storage and distribution establishment provided that there is no outside storage and provided further that there is no open parking of refrigerated vehicles or vehicles with other continuously running equipment.
12. Plumbing, heating and air-conditioning services or contractors provided there is no open storage of junk and scrap materials.

510-C The following Accessory Uses and Structures are permitted:

1. Off-street parking lot or structure.
2. Off-street loading facilities.
3. Fences.
4. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.
5. Retail sales of products manufactured on the premises.

510-D The following uses are permitted as Special Exceptions:

1. Churches and parish halls, temples, convents and monasteries on a minimum of three (3) acres.
2. Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted equivalent to a public school, and institutions of higher learning, on a minimum of five (5) acres.
3. Funeral homes.
4. Hospitals, sanitoriums, rest homes and nursing homes, and other institutions for human care, public or private, but not for the treatment of contagious diseases, provided that any power house, storage or service building shall be distant not less than one hundred (100) feet from any lot line.
5. Other uses which are determined by the Board of Appeals to be of the same general character as those listed above and which will not be detrimental to permitted uses in the zone.
6. Additional permitted uses on an approved lot.
7. Publicly owned and operated airports.

510-E Development Standards:

1. The minimum lot size for all uses hereafter established shall be 40,000 square feet.
2. No more than one (1) principal use shall be permitted on an approved lot, unless authorized as a Special Exception by the Board of Appeals.
3. Off-street parking shall be provided in accordance with the provisions of Section 601.



4. All lots hereafter established shall have a frontage on a public street or way of at least one hundred (100) feet with a depth of at least one hundred (100) feet.
5. Minimum yards and setbacks for all uses shall be as follows:
  - a. Front yard - forty (40) feet from the property line.
  - b. Side yard - ten (10) feet on each side of the property line. (except for fences)
  - c. Rear yard - fifteen (15) feet from the property line. (except for fences)
  - d. Setbacks - shall be the same as yard requirements.
6. Height limitations - thirty-five (35) feet.
7. Lot coverage by all buildings and structures shall not exceed thirty-five (35%) percent of the lot area.
8. There shall be no open storage on any lot or open areas, nor shall any products be displayed in open areas.
9. Exterior lighting for any use shall be diffused and directed away from any adjoining areas.
10. All off-street loading and unloading areas shall be screened from view by permanent decorative screens or natural planting, either of which shall be a minimum of eight (8) feet in height.
11. All areas not devoted to buildings or parking areas shall be landscaped and maintained in a suitable manner. Trees, an average of eight (8) feet in height shall be planted or preserved in the required front or rear yards on an average of one (1) tree for each twenty-five (25) feet of property lines.

## SECTION 511 - I-2 - GENERAL INDUSTRIAL DISTRICT

511-A. Purpose: The purpose of this district is to provide areas for industrial uses which have limited effects upon surrounding land uses. Uses permitted in this district include those related to fabricating, warehousing and wholesale distributing without obnoxious characteristics. In keeping with the purpose of this district, no use is to be permitted which will create offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences.

511-B. The following are Permitted Uses:

1. Agriculture and the usual agricultural buildings, farm offices, commercial and non-commercial nurseries and greenhouses; provided no structure for the housing of animals shall be within two hundred (200) feet from any lot line.
2. Automobile, farm equipment, trailer and marine products sales and services provided that there is no open storage of junk or scrap materials.
3. Bakery.
4. Laundry, clothes cleaning and dyeing plants.
5. Bottling plants or distribution stations for beverages.
6. Manufacture, compounding or assembling of articles using the following prepared materials: bone or shell, cellophane, fur, glass, leather, plastics, precious or semi-precious metals or stones, rubber, textile or cloth products, tobacco, wood or wood products.
7. Manufacture of ceramic products, excluding building materials, using only previously pulverized clay and kilns fired by electricity or gas.
8. Manufacture or assembling of a finished product from prepared materials, of any of the following activities: automotive parts, musical instruments, clocks or watches, toys or novelties, electrical appliances, electronic devices, light sheet metal products; machine tools and machinery not requiring the use of a punch press or drop hammer, and office equipment.
9. Manufacture and repair of signs, sheet metal products, heating and ventilating equipment.
10. Printing and publishing plants.

11. Plumbing, heating or air conditioning services or contractors provided there is no open storage of junk and scrap materials.
12. Research, experimental or testing laboratories, but not including high explosives or toxic chemicals.
13. Signs, on-site, as provided for in Section 606.
14. Wholesale business, warehouses, storage and distribution establishments.

511-C. The following Accessory Uses and Structures are permitted:

1. Off-street parking lot or structure.
2. Off-street loading facilities.
3. Dwellings for resident watchmen and caretakers employed on premises.
4. Retail sales of products manufactured on the premises.
5. Fences
6. Other accessory uses and structures clearly incidental and customary to and associated with the permitted use.

511-D. The following uses are permitted as Special Exceptions:

1. Airport, including all related uses and activities.
2. Animal hospital, veterinary clinic or kennel for the raising, breeding or boarding of animals, provided any structure or area used to house animals shall be distant at least fifty (50) feet from adjoining property lines.
3. Automobile repair garages and gasoline stations, subject to the following:
  - a. Bulk storage of inflammable liquids shall be underground.
  - b. The entrance or exit at such establishments shall be at least fifty (50) feet from any lot zoned residential.
  - c. There shall be no open storage or accumulation of junk or scrap on the premises.
  - d. No structure or building shall be erected within thirty (30) feet of any dwelling.
4. Automotive parts assembly.

5. Blacksmith shop.
6. Boat manufacturing.
7. Brick yard.
8. Building material sales yard, including the sales of rock, sand, gravel.
9. Contractor's equipment storage yard or plant.
10. Concret mixing.
11. Forge or foundry works.
12. Inflammable liquids with underground storage; and distribution facilities not to exceed fifty thousand (50,000) gallons and provided all such areas and structures shall be distant at least two hundred (200) feet from any lot line.
13. Manufacture, compounding, processing or packaging or storage of food and food products; and cosmetics, toiletries and pharmaceuticals; except fish and meat products, vinegar, yeast and rendering or refining of fats and oils.
14. Meat packing or storage, but not stockyards or slaughter houses.
15. Other uses which are determined by the Board of Appeals to be of the same general character as those listed above and which will not be detrimental to permitted uses in the zone. In rendering a decision the Board of Appeals must follow the Special Exception procedure.
16. Printing ink manufacturing.
17. Storage and sales of grain, livestock feed and solid fuel, provided that storage for such materials shall be distant at least fifty (50) feet from any lot line.
18. Stone or monument works employing power-driven tools, a distance of at least two hundred (200) feet from any lot line.
19. Trucking and freight stations, terminals and storage yards.
20. Welding shops.
21. Additional permitted uses on an approved lot.

511-E. Development Standards:

1. The minimum lot size for all uses hereafter established shall be 40,000 square feet.
2. No more than one (1) principal use shall be permitted on an approved lot, unless authorized as a Special Exception by the Board of Appeals.
3. Off-street parking shall be provided in accordance with the requirements of Section 601.
4. All lots hereafter established shall have a frontage on a public street or way of at least one hundred (100) feet with a depth of at least one hundred (100) feet.
5. Minimum yards and setbacks for all uses shall be as follows:
  - a. Front yard - forty (40) feet from the property line.
  - b. Side yards - two (2) side yards of ten (10) feet each. (except for fences)
  - c. Rear yards - thirty (30) feet from the property line. (except for fences)
  - d. Setbacks shall be the same as all yard requirements.
6. Height limitations - thirty-five (35) feet.
7. Lot coverage by all buildings and structures shall not exceed thirty-five (35%) percent of the lot area.
8. There shall be no open storage on any lot or open areas, nor shall any products be displayed in open areas.
9. Exterior lighting for all uses shall be diffused and directed away from all adjoining areas.
10. All off-street loading and unloading areas shall be screened from view by permanent decorative screens or natural plantings either of which shall be a minimum of eight (8) feet in height.
11. All areas not devoted to buildings or parking areas shall be landscaped and maintained in a suitable manner. Trees, an average of eight (8) feet in height shall be planted or preserved in the required front or rear yards on an average of one (1) tree for each twenty-five (25) feet of property lines.



## SECTION 512 - HISTORIC DISTRICT

512-A. Purpose: It is the purpose of this section to establish regulations and procedures necessary to preserve the historic structures and character of Easton. The regulations create two historic zoning districts and regulate individual historic landmarks which may be identified by the Historic District Commission. These historic districts shall be considered as "overlay zones" and shall be considered in conjunction with the use provisions of the zoning district in which a building is located. All standards and regulations are designed to achieve the objectives more specifically described below.

1. The preservation of structures of historic and architectural value is a public purpose in this State. The Mayor and Town Council of Easton believe that the public interest and convenience requires the preservation and protection of certain places and areas of historic interest, exterior architectural features, examples of the types of architecture and gardens and grounds found in the older areas of Easton.
2. The purpose of this ordinance shall be (1) to safeguard the heritage of Easton by preserving the district or districts therein which reflect elements of its cultural, social, economic, political, or architectural history; (2) to stabilize and improve property values in such a district or districts; (3) to foster civic beauty; (4) to strengthen the local economy; and (5) to promote the use and preservation of historic districts for the education, welfare, and pleasure of the residents of Easton and Talbot County.
3. The Mayor and Town Council of Easton derive authority for this ordinance by virtue of the terms of the State of Maryland Enabling Act for Municipal Historic District Legislation (1974 Cum. Supl. - Art. 66 B - Sec. 8.01-8.15).

### 512-B. Establishment of Districts

1. The Easton Historic Zones shall consist of two districts. The first district covers the area of the Third Haven Meeting House and is identified as "Meeting House District". The second district shall consist of that land which constitutes basically the original part of Easton as shown on the Historic Zoning Map and identified as "Old Easton District". In addition, the Commission may compile a list of public and private structures which it deems to be of historic or architectural significance. These individual structures may be located in any portion of the Town

and shall be considered to be subject to the provisions of this section. The list of structures designated to be of historical or architectural significance and the map entitled, "Historic Districts, Easton, Maryland," which map shall upon the adoption of this ordinance be filed in the office of the Easton Town Clerk, and which districts are more particularly bounded and described as follows:

2. The limits of Historic District No. 1 (known as Meeting House District) are as follows: Beginning at a concrete monument placed on the southwesterly sideline of Washington Street and at the most easterly corner of the Meeting House driveway; thence, (1) along the southerly sideline of the driveway, the northwesterly line of a private lot of "Pennsfield" subdivision, South  $43^{\circ}31'$  West, 200.7 feet to another concrete marker at the northerly corner of the intersection of Pennsfield and Border Lanes; thence, (2) with the northwesterly sideline of Border Lane and beyond with land belonging to the Board of Education of Talbot County, South  $43^{\circ}2'$  West, 571.07 feet to an iron pipe; thence, (3) still with school grounds, North  $32^{\circ}51'$  West, 368.75 feet to another iron pipe; thence, (4) with the northwesterly side of the Meeting House Yard, North  $46^{\circ}18'$  East, 299.75 feet to an iron pipe; thence, (5) with the northeasterly line of the Yard, South  $48^{\circ}7'$  East, 290.84 feet to an iron pipe; thence, (6) with the northwesterly sideline of the driveway to the Meeting House, North  $44^{\circ}22'$  East, 192.83 feet to a stone; thence, (7) with the same, North  $44^{\circ}14'$  East, 199.2 feet to an iron pipe; thence, (8) with the southwesterly sideline of Washington Street, South  $27^{\circ}30'$  East, 45.47 feet to the place of beginning.
3. The limits of Historic District No. 2 (known as Old Easton District) are as follows: Beginning at the southeasterly corner of Aurora Street and Brook Lane; thence, (1) with the southerly sideline of Brook Lane to the westerly side of Harrison Street; thence, (2) with the westerly side of Harrison Street to the southerly sideline of Brookletts Avenue; thence, (3) with the southerly side of Brookletts Avenue to the west side of Washington Street; thence, (4) along the westerly sideline of Washington Street to the southwesterly corner of Washington and Vine Streets; thence, (5) following the southerly sideline of Vine Street to a point in line with the westerly sideline of West Street; thence, (6) with the westerly sideline of West Street to the north side of Bay Street; thence, (7) with the northerly sideline of Bay Street to the northwesterly corner of Bay and Washington Streets; thence, (8) along the

westerly sideline of Washington Street to the northerly line of a projection of Gravel Alley; thence, (9) with said projection line and with the northerly sideline of Gravel Alley to the easterly side of New Alley; thence, (10) along the easterly sideline of New Alley to the northeasterly corner of New Alley and Brewer's Lane; thence, (11) with the northerly sideline of Brewer's Lane to the east side of Turners Lane; thence, (12) following the easterly sideline of Turners Lane to the northeasterly corner of Turners Lane and North Street; thence, (13) with the northerly sideline of North Street to the center line of the main track of the Delaware Railroad Right-of-Way; thence, (14) with said center line to the south side of Dover Road; thence, (15) with the southerly sideline of Dover Road and Dover Street to the southeasterly corner of Dover Street and Aurora Street; thence, (16) with the easterly sideline of Aurora Street to the place of beginning.

512-C. Historic District Commission

The Mayor and Town Council will create a commission to be called "The Historic District Commission". This Commission shall have a membership of seven (7) persons all of whom agree to serve on this Commission and all of whom are residents of Easton. The members shall be appointed by the Mayor and with the advice and consent of the Town Council for terms of three (3) years except that in making the initial appointments, some appointments shall be established for less than three (3) years in order that as these initial terms expire, all appointments shall be for three (3) years and shall not expire at the same time. Members of the Commission are eligible for re-appointment. Any vacancy on a Commission shall be filled by the appointing authority for the unexpired term of the particular position. The Mayor may consult private societies or agencies to request the names of possible members of the Commission. A majority of the Commission shall constitute a quorum for the transaction of business, and a majority vote of the members present shall control the action of the Commission.

512-D. Application for Permit

Before the construction of, or an addition to or alteration, repair, moving or demolition of a structure, or the construction of any structure in the gardens and grounds appurtenant to any existing structure is made within the historic zoning districts, if any changes are involved which would affect or obscure or obstruct the exterior structural appearance of a structure

visible from an adjacent public way, the person, individual, firm, or corporation proposing to make the construction or change shall file with the Commission, through the Town Clerk, an application for permission to build, alter, repair, move, demolish, or make the addition. Every such application shall be referred to and considered by the Historic District Commission and no permit for any change may be granted until the Commission has acted thereon as hereinafter provided. Provided, however, that this subsection shall not apply to the construction of any new structure unless said new structure is located in the gardens or grounds appurtenant to an existing structure or said new structure would affect, obscure or obstruct the exterior structural appearance of an existing structure from an adjacent public way.

512-E. Procedures

The Commission shall compile a list of structures, both public and private which the Commission deems of historical and architectural significance. These may be within the Historic Districts or outside them. If they do not coincide with the Historic Zone, the designated structure shall be deemed to be subject to the requirements of this section, the same as if included within the Historic Zone. No work may commence upon any building within the Historic Zone, or designated historic structure until final approval of an application for a building permit by the Zoning Inspector has been made. This application will include all plans for construction, erection, reconstruction, alteration, excavation and changes in the exterior of the building, or construction, erection or excavation in the gardens and grounds appurtenant to any building within the Historic Zone or to those structures which the Commission deems of historical or architectural significance. The procedure is as follows:

- (1) The Applicant is to file an application for a building permit with the Town Clerk.
- (2) After review by the Zoning Inspector, the Zoning Inspector will forward the application to the Historic District Commission.
- (3) If the plans are acceptable to the Historic District Commission, the Commission will forward the application to the Inspector for final approval in the issuance of a building permit.
- (4) If the plans are not acceptable to the Commission, they shall at the request of the applicant, post a sign on the property advising of a public hearing to be held by the Commission within not less than ten (10) days

nor more than twenty (20) days. If no agreement is reached, there shall be a six (6) months period of waiting before filing a request again for the same structure. The Commission shall be notified of a proposed listing or sale of the designated historic structures within twenty-four (24) hours of listing for sale.

512-F. Factors to be Considered in Plan Review

In reviewing the plans for any such construction or change, the Commission shall give consideration to (1) the historic or architectural value and significance of the structure or gardens and grounds appurtenant thereto and its relationship to the historic value of the surrounding area; (2) the relationship of the exterior architectural features of the structure to the remainder of the structure and to the surrounding area; and (3) the general compatibility of the exterior design, arrangement, texture, and materials proposed to be used.

512-G. Only Exterior Features to be Considered

The Commission shall consider only exterior features of a structure and shall not consider any interior arrangements. Also, the Commission shall not disapprove an application except with respect to the several factors specified in Section 512-F above.

512-H. Strictness and Leniency in Judgement of Plans

The Commission shall be strict in its judgement of plans for those structures deemed to be valuable according to studies performed for districts of historic or architectural value or for new construction proposed for gardens and grounds appurtenant thereto. The Commission shall be lenient in its judgement of plans and structures of little historic value or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area. The Commission may permit new construction, alteration, or repairs of any architectural style or period.

512-I. Application for Permits for Buildings of Unusual Importance

If an application is submitted for repairs or alterations affecting the exterior structural appearance of a structure or for the moving or demolition of a structure or for new construction in the gardens and grounds of a structure, the preservation of which the Commission deems of unusual importance to the county or municipal corporation or of unusual importance to the entire state or nation, the Commission shall attempt with the owner of the structure to formulate an economically



feasible plan for the preservation of the structure. When the Commission is satisfied that the proposed construction, alteration, or repair will materially impair the historic value of the structure, the Commission shall reject the application for repair or alteration, filing a copy of its rejection with the Zoning Inspector and the Mayor and Town Council. An application for any such repair or alteration, if rejected, shall not be renewed within a period of six (6) months after the rejection. Provided, that nothing in Section 512 of Chapter 28 of the Code of the Town of Easton shall authorize the Commission to exercise authority over shrubs, trees or other vegetation.

512-J. Meetings to be Public

All hearings of the Commission shall be open to the public. Any interested person or his representative is entitled to appear and be heard by the Commission before it reaches a decision on any matter. The Commission shall keep an open record of its resolution, proceedings, and actions which shall be kept available for public inspection during reasonable business hours.

512-K. Certification of Commission's Decisions

The Commission shall file with the Zoning Inspector a certificate of its approval, modification, or rejection of all applications and plans submitted to it for review. Work shall not be commenced on any such project until such a certificate of approval has been filed, and approved by the Zoning Inspector and the Town Clerk shall not issue a building permit for such change or construction unless and until the Town Clerk has received such final certificate of approval. The failure of the Commission to act upon an application within thirty (30) days from the date the application was filed shall be deemed to constitute automatic approval of the proposed changes unless an extension of this thirty (30) day period is agreed upon mutually by the applicant and the Commission.

512-L. Ordinary Maintenance Not Affected

Nothing in this ordinance shall be taken or construed to prevent work and repairs on any structure coming under the heading of ordinary maintenance including painting. Nothing in this ordinance affects the right to complete any work covered by a permit or authorization issued prior to the effective date of this ordinance.

512-M. Penalties

Any person, firm, or corporation, or agent of such,

found guilty of constructing, altering, moving, demolishing, or repairing any structure within the Historic District where such changes are visible from a public way without having secured the approval of the Historic District Commission as required by this article, shall be subject to penalties for violation of the ordinance in accordance with Section 1600.

In addition to other remedies and penalties, where there is any violation of this article, the Zoning Inspector, the Historic District Commission, or the Zoning Board of Appeals shall report the violation to the Town Council and request the Town Attorney be directed to institute appropriate action to prevent, enjoin, abate, or remove such violation.

512-N. Appeal

Any person or persons, firm, or corporation, including Town of Easton aggrieved by a decision of the Historic District Commission shall have the right of appeal concerning such decision to the Board of Zoning Appeals and a further appeal to the Circuit Court of Talbot County from any decision of the Board of Zoning Appeals and a further appeal may be taken to the Court of Special Appeals of Maryland from any decision of the Circuit Court of Talbot County reviewing a decision of the Historic District Commission.

Section 513-C-3 - Highway Commercial District.

Section 513-A. Purpose. The purpose of this District is to provide areas for large lot commercial and select industrial uses which are most appropriate for areas with ready access to major collector streets and arterial highways. These regulations are designed to protect adjacent or surrounding districts; to establish standards for intensity of use and to guide the character of development. In keeping with the purpose of these regulations, no use is permitted which may be detrimental to the area because of odor, smoke, dust, fumes, fire, noise, explosion or outside storage.

Section 513-B. The following are Permitted Uses:

1. Agriculture and the usual agricultural buildings, farm offices, commercial and non-commercial nurseries and greenhouses; provided that no structure for the housing of animals be located within two hundred (200) feet from any lot line.
2. Animal hospital or veterinary clinic, provided any structure or area used to house animals shall be distant at least fifty (50) feet from any lot line.
3. Assembling of a finished product using the following prepared materials: bone or shell, cellophane, fur, glass, leather, plastics, precious or semi-precious metals or stones, rubber, textiles or cloth products, tobacco, wood and wood products, provided there is no outside storage.
4. Banks and other financial institutions.
5. Beverage distribution stations, wholesale only.
6. Bottling plants for non-alcoholic beverages.
7. Buildings of an administrative, cultural or educational nature, whether public or privately owned.

8. Building materials and lumber yards, including incidental mill work, but excluding concrete mixing or the compounding or mixing of other building materials, provided that there shall be no open storage of materials within one hundred (100) feet of the property line.

9. Carpenter, sheet metal or sign shops, provided that all activities are conducted within a building or structure.

10. Cultural uses including museums, clubs, lodges and libraries.

11. Greenhouses, florists and nurseries.

12. Office buildings for professional, administrative or educational activities.

13. Printing and publishing plants.

14. Restaurants, excluding night clubs, taverns, drive-in and fast food establishments.

15. Signs, on-site, as provided in Section 608.

16. Utility buildings and uses, public or private, with no outside storage.

17. Visitor center or tourist information facility.

Section 513-C. The following Accessory Uses and Structures are permitted:

1. Off-street parking lot or structure.

2. Off-street loading facilities.

3. Fences.

4. Retail sales for products manufactured, grown or assembled on the premises.

5. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

Section 513-D. The following uses are permitted as Special Exceptions:

1. Additional approved uses on an approved lot.

2. Automobile, farm equipment, trailer and marine products sales and services, provided that there is no open storage of junk or scrap materials.

3. Buildings or structures in excess of the gross floor area limit set forth in Sub-Section E, provided that the application has been reviewed by the Planning Commission. This Sub-Section may not be used to permit retail stores, sales rooms and shops such as hardware stores, grocery stores, drug stores, variety stores, department stores, craft shops, furniture stores, liquor stores and florist shops in buildings or structures or combinations of buildings and structures which exceed a total of twenty-five thousand (25,000) square feet of gross floor area on an approved lot.

4. Churches and parish halls, temples, convents and monasteries on a minimum of three (3) acres.

5. Civic centers.

6. Colleges and schools, public or private, having a curriculum and conditions under which the teaching conducted is equivalent to a public school, or institutions of higher learning, on a minimum lot of five (5) acres.

7. Hotels, motels and inns, on a minimum lot of at least three (3) acres.

8. Manufacture of a finished product or assembling from prepared materials of the following: musical instruments, clocks, watches, toys or novelties, electrical appliances, electronic devices and office equipment or similar such products (not including high explosive or toxic materials), provided there is no outside storage.

9. Private and non-profit parks and recreation areas, including clubs, lodges and swimming pools on a minimum site of five (5) acres.

10. Recreational uses within a structure including bowling alleys, theaters and other related uses.

11. Research, experimental or testing laboratories, excluding toxic or highly explosive materials.

12. Trucking and freight stations, terminals and storage yards; excluding the storage of flammable liquids except for servicing vehicles owned or used in the conduct of business.



13. Warehousing wholesale businesses, storage and distribution establishments, provided that there is no outside storage, and provided further that there is no open parking of refrigerated vehicles or vehicles with other continuously running equipment.

14. Other uses which are determined by the Board of Appeals to be of the same general character as those listed above and which will not be detrimental to permitted uses in the zone. In rendering a decision allowing such a use, the Board of Appeals must follow the procedures set forth for the grant of a Special Exception.

Section 513-E. Development Standards:

1. The minimum lot size for all uses hereafter established shall be forty thousand (40,000) square feet.

2. No more than one (1) principal use shall be permitted on an approved lot, unless authorized as a Special Exception by the Board of Appeals.

3. Off-street parking shall be provided in accordance with the provisions of Section 601.

4. All lots hereafter established shall have a frontage on a public street or way of at least two hundred (200) feet with a depth of at least two hundred (200) feet.

5. Minimum yards and setbacks for all uses shall be as follows:

a. Front yard - forty (40) feet from the property line.

b. Side yard - ten (10) feet on each side of the property line (except for fences).

c. Rear yard - fifteen (15) feet from the property line (except for fences).

d. Setbacks - shall be the same as yard requirements.

6. Height limitations - fifty (50) feet.

7. Lot coverage by all buildings and structures shall not exceed thirty-five (35) percent of the lot area.

8. There shall be no open storage on any lot or open areas, nor shall any products be displayed in open areas.

9. Exterior lighting for any use shall be diffused and directed away from any adjoining areas.

10. All off-street loading and unloading areas shall be screened from view by permanent decorative screens or natural planting, either of which shall be a minimum of eight (8) feet in height.

11. All areas not devoted to buildings or parking areas shall be landscaped and maintained in a suitable manner. Trees, an average of eight (8) feet in height shall be planted or preserved in the required front or rear yards on an average of one (1) tree for each twenty-five (25) feet of property lines.

12. Building or structure size - not to exceed twenty-five thousand (25,000) square feet of gross floor area.

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## SECTION 600 SUPPLEMENTAL ZONE REGULATIONS

### SECTION 601 OFF STREET PARKING REQUIREMENTS

601-A. Purpose: To facilitate the movement of people and goods on the local street system to lessen congestion in the streets, to assure that streets are clear of obstructions and as a means of protecting the lives and safety of motorists and pedestrians, the following off-street parking standards are established. Standards hereinafter established govern the provision, arrangement and access for parking lots or areas and individual parking spaces.

601-B. Development Standards:

1. All land hereinafter used or occupied and all structures hereinafter designed or enlarged, shall provide sufficient off-street parking spaces in accordance with this section.
2. The provisions of this section shall not apply to established parking districts and no off-street parking space greater than which exists at the effective date of this ordinance need be provided for existing uses or structures.
3. When a building or property is used for more than one use, the parking requirement for each such use shall be separately applied on the basis of that area established for each use.
4. All off-street parking spaces other than for a single family or duplex dwelling which requires vehicles to back into a public road, street or highway are prohibited.
5. No parking area shall be used for the sale, repair, dismantling or servicing of any vehicle or equipment or for the storage of materials or supplies.
6. All off-street parking facilities, other than residential, shall be constructed of dust-free materials, have a surface resistant to erosion, drained so as to prevent damage to abutting properties or public streets, and maintained properly by the owner.
7. Each automobile parking space shall be clearly marked appropriately to the dimensions required for each space exclusive of the access drive.
8. There shall be provided entrances and exits and driveway adequate to connect parking areas with a public right-of-way.

9. Minimum dimensions for off-street parking and maneuvering space or driveways shall correspond to the following:

a. 90 degree angle parking: Each parking space shall be not less than nine feet wide nor less than twenty feet in length. Maneuvering space or driveways shall be not less than twenty-seven feet wide. Maneuvering space shall be in addition to that required for parking.

b. 60 degree angle parking: Each parking space shall be not less than nine feet wide perpendicular to the parking angle nor less than twenty feet in length. Maneuvering space or driveways thereto shall be not less than sixteen feet wide for one way traffic and twenty-four feet wide for two way traffic. Maneuvering space shall be in addition to that required for parking.

c. 45 degree angle parking: Each parking space shall be not less than nine feet wide perpendicular to the parking angle nor less than twenty feet in length. Maneuvering space or driveways thereto shall be not less than fifteen feet wide for one way traffic and twenty-four feet wide for two way traffic.

10. No parking spaces except those proposed for single family or duplex residences shall have direct access to a public way.

11. A driveway 10' wide and 35' long shall be deemed sufficient parking space, for single family or duplex use.

12. No part of any parking or maneuvering space, (other than residential) shall be closer than ten (10) feet to any street line, sidewalk or property line.

13. No off-street parking areas may be used for displays, exhibits or sales.

601-C. Parking requirements - All uses of land and structures shall adhere to the following parking requirements:

1. Assembly hall, arena, or auditorium other than an on-site school facility - 1 space per 2 seats of its rated capacity.



2. Auto sales or showroom - 1 space per 300 square feet of gross floor area plus 1 space per employee.
3. Animal hospital - 1 space per 300 square feet of gross floor area plus 1 space per employee.
4. Deleted
5. Appliance stores - 1 space per 300 square feet of gross floor area plus 1 space per employee.
6. Automotive repair garage - 1 space per 200 square feet of gross floor area.
7. Bank - 1 space per 200 square feet of gross floor area plus 1 space per employee.
8. Bars - 1 space per 50 square feet of gross floor area.
9. Boarding house - 1 space per sleeping room.
10. Bowling alley - 4 parking spaces for each lane.
11. Churches - 1 space per 3 seats of the main seating area, plus 1 space per 200 square feet of gross Sunday School area.
12. Civic Club - 1 space per 200 square feet of gross floor area.
13. Clubs, entertainment, night clubs - 1 space per 50 square feet of gross floor area.
14. Clubs, private - 1 space per 100 square feet of gross floor area.
15. Drive-in facility for laundry or other supplies - 1 space per 50 square feet of gross floor area.
16. Equipment sales - 1 space per 300 square feet of gross floor area plus 1 space for each employee.
17. Furniture stores - 1 space per 500 square feet of gross floor area plus 1 space for each employee.
18. Funeral Homes - 30 spaces per viewing parlor or area used for viewings, plus 1 space for each employee. Where one main hall is designed for viewing or service purposes - 1 space for each 3 seats of its rated capacity.
19. Garage repair - 1 space per 100 square feet of gross floor area.

20. Gasoline or service station - 1 space per 100 square feet of gross floor area.
21. Golf Club - 1 space per 100 square feet of gross floor area of all recreation buildings plus 1 space per 5 members.
22. Hotels - one space per room; plus 1 space for each 2 employees. Where restaurants, offices, and shops are a part of a hotel, the parking requirements for each use shall also apply.
23. Hospital - 1.5 spaces per bed plus 1 space per doctor with hospital privileges plus 1 space per employee on the main shift.
24. Laboratory - 1 space for each 2 employees.
25. Laundromat - 1 parking space for each washing or dry cleaning machine.
26. Library - 1 space per each 150 square feet of gross floor area.
27. Machinery sales or repairs - 1 space per 300 square feet of gross floor area plus 1 space for employee.
28. Manufacturing facility - 1 space for each 2 employees on the main shift.
29. Medical or dental offices and clinics - 1 space per 100 square feet of gross floor area up to 2000 square feet and 1 space per 200 square feet of gross floor area in excess of 2000 square feet.
30. Moving and storage - 1 space per 500 square feet of gross floor area plus 1 space for employee and 1 space for all vehicles used in the business.
31. Motel - same as hotel.
32. Motor vehicle sales - 1 space per 200 square feet of gross floor area plus 1 space per employee.
33. Museums - 1 space per 200 square feet of gross floor area.
34. Deleted.
35. Nursing Homes, Convalescent Home or Home for Aged - 1 space per bed plus 1 space for each employee.
36. Office uses - 1 space per 200 square feet of gross floor area.

- 36A. Residential Uses: Dwelling, single-family - two spaces for each dwelling unit; Dwelling, two-family or duplex - two spaces for each dwelling unit; Dwelling, multi-family - efficiency or one bedroom, one space for each dwelling unit. Two bedrooms or more - two spaces per dwelling unit.
37. Retail sales - 1 space per each 150 square feet of gross floor area.
38. Restaurant -  
- Drive-in, Fast Food and Regular - 1 space per 50 square feet of gross floor area, plus one space per two employees.
39. Recreation facilities - 1 space per 100 square feet of gross floor area plus 1 space for each employee.
40. Schools - Elementary, Junior or Middle - 1 space per teacher or employee plus 1 space per 3 seats in any area used as a main meeting hall.  
Senior High, College - 1 space per teacher and employees, plus one space per 3 seats in any area used as a main meeting hall. or 1 space per 2 seats in a gymnasium or stadium whichever is greater.
41. Service establishments - 1 space per 200 square feet of gross floor area plus 1 space per 2 employees.
42. Shopping center - 1 space per 150 square feet of gross floor area, plus 1 space per employee.
43. Storage and warehouse - 1 space per 400 square feet of gross floor area plus 1 space per employee plus space for each vehicle used by the business.
44. Taverns - 1 space per 50 square feet of gross floor area.
45. Terminal, Freight - 1 space per 2 employees plus 1 space for each vehicle owned or used in the business.  
Passenger - 1 space per each employee plus 1 space per 100 square feet of gross floor area plus 3 lanes for buses.
46. Theaters - 1 space per 3 seats of its rated capacity.
47. Tourist cabins-- 2 spaces per living unit.
48. Tourist Information Center - 1 space per 100 square feet of gross floor area plus 1 space per employee.

49. Wholesale - 1 space per 2 employees plus one space for each vehicle used by the business.

601-D. Parking areas for more than five (5) vehicles - shall be effectively screened on each side which adjoins or is faced by any "R" District, by an ornamental wall, fence, or compact evergreen hedge. Such screen shall be not less than four (4) feet or more than six (6) feet in height and shall be maintained in good condition without any advertising thereon.

601-E. Joint Use - Off-Site Facilities

1. All parking spaces required herein shall be located on the same lot with the building or use served, except that where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required spaces may be located and maintained on a lot within five hundred (500) feet of the building served.
2. Up to twenty-five (25%) percent of the parking spaces required for (a) theaters, public auditoriums, bowling alleys, dance halls, and night clubs, and up to one hundred (100%) percent of the parking spaces required for a church auditorium may be provided and used jointly by (b) banks, offices, retail stores, service establishments, and similar uses not normally open, used, or operated during the same hours as those uses listed, and up to fifty (50%) percent of parking spaces required for schools may be provided and used jointly by a church auditorium; provided, however, that written agreement thereto is properly executed and recorded as specified below.
3. In any case, where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, such parking space shall be established by a recorded covenant or agreement as parking space to be used in conjunction with the principal use and shall be reserved as such through an encumbrance to be valid for the total period the use or uses for which the parking is needed are in existence. A certificate or recording shall be furnished to the Zoning Inspector.

601-F. Waiver of Parking Requirements - Whenever the Town Council shall have established municipally owned and maintained off-street parking areas, and where certain uses may be required to pay an additional tax for the support of publicly owned facilities provided by said tax; the parking requirements of ordinance applying to those uses

located within said district shall not be required; provided, however, that said users pay either the full special tax or a proportionate share thereof.

#### SECTION 602 OFF-STREET LOADING SPACES REQUIRED

In any zone in connection with every building or part thereof having a gross floor area of four thousand (4000) square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display or sales, mortuary, or other uses similarly requiring the receipt and distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building or use at least one (1) off-street loading space plus one (1) additional such loading space for each ten thousand (10,000) square feet of gross floor area or major fraction thereof. Each loading space shall be not less than ten (10) feet in width, forty-five (45) feet in length, and fourteen (14) feet in height. Such space may occupy all or any part of any required yard or court, except a front yard. No such space shall be located closer than fifty (50) feet to any lot located in any "R" District, unless wholly within a completely enclosed building or unless enclosed on three sides by a wall of uniformly painted board fence or natural plantings. The height of all screening shall be determined by the zoning inspector but in no event shall the screening be less than 6' in height.

#### SECTION 603 STRUCTURES PERMITTED ABOVE HEIGHT LIMIT

The building height limitations of this Ordinance shall not apply to roof structures for housing stairways, tanks, ventilating fans or similar equipment required to operate and maintain the buildings; fire or parapet walls, towers, steeples, flagpoles, silos, smoke stacks, masts, tanks, monuments, or other structures that project into the air. The provisions of this section shall not apply to any structure or use within any airport clear zone.

#### SECTION 604 FRONT YARD ADJUSTMENT

The front yard required for a dwelling in any zone which permits residences may be reduced in the case of a dwelling to be located between two (2) existing dwellings which lack the required front yard and which are less than one hundred (100) feet apart. In such a case the front yard depth shall be not less than that of the deeper adjoining lot.



## SECTION 605 PUBLIC UTILITIES

Public utility rights-of-way and structures including telephone, electric, water, sewer, and gas lines, with the necessary accompanying and incidental equipment are permitted as a matter of right in any district.

## SECTION 606 SIGNS

606-A. Purpose: The following sign regulations are established to assure compatibility of on-site structures with surrounding land use, both existing and proposed; to conserve and enhance property values in all districts; to promote traffic and pedestrian safety by minimizing distractions to drivers in the Town of Easton; to protect the natural scenic beauty of the Town of Easton; to preserve the aesthetic integrity of the Town of Easton and to preserve the integrity of the many historically and architecturally significant structures in the Town of Easton.

### 606-B. Development Standards

1. The following restrictions shall apply to on-site signs:
  - a. No flashing sign shall be permitted with the exception of that portion of a sign which indicates the time, temperature or date.
  - b. All lighted on-site signs shall be illuminated indirectly by either interior or exterior fixtures.
  - c. No on-site sign shall exceed forty (40) feet in length.
  - d. No on-site sign surface shall exceed a vertical dimension of fifteen (15) feet.
  - e. No on-site sign shall be erected on the roof of any building. No on-site sign shall be erected which will project above the highest point of a building with a flat roof or the eave line of a building with a gambrel, gable or hip roof. On the gable end of a building with a gambrel, hip or gable roof, no on-site sign will be erected which will project above the ridge or beyond the edges of the roof.
  - f. No signs may be painted on any wall or roof of a building or fence.
  - g. Both sides of a double faced sign shall be computed as a part of the total permitted sign area.
  - h. No free standing sign shall exceed two hundred (200) square feet in total area or one hundred (100) square feet in area per side.
  - i. The area of all signs with backing shall be measured by computing the area of the sign backing.

The area of all signs without backing shall be measured by computing the area of the smallest, circles, triangles, squares or rectangles which can separately encompass all words, letters, figures, emblems and other elements of the sign.

- j. No attached signs shall project more than 36" beyond the building line nor more than 15" beyond the property line.
2. The owner of a sign and the owner of the site upon which the sign is located are jointly and severally responsible for maintaining the sign, including its illumination system.
3. Upon written notice from the Zoning Inspector that a sign is unsafe, damaged or deteriorated, the owner of the site and/or the owner of the sign shall repair or remove the sign. Immediate action is required for the repair or the removal of unsafe signs. If repair or removal is not achieved within the time period specified in the written notice from the Building Inspector, the sign shall be repaired or removed by the Town and the cost shall be assessed to the property owner.
4. After use is discontinued, all on-site signs shall be removed in thirty (30) days of the termination of the use. If any such sign is not removed within said thirty (30) day limit, the Town may remove such signs after fifteen (15) days written notice. Costs of such removal shall be assessed to the property owner.

#### 606-C. Signs Permitted Without Permits

1. No more than two (2) temporary signs advertising the sale, lease, or rental of the premises upon which the sign is located, with the total area of signs not exceeding eight (8) square feet. Such signs shall be removed within ten days following the sale, lease or rental of the premise.
2. Professional name plates or sign denoting the name and address of the occupants of the premises, which sign or name plate shall not exceed a total of four (4) square feet in area.

#### 606-D. Signs Permitted after Issuance of a Sign Permit. The following signs may be erected in the Town of Easton after issuance of a Sign Permit by the Town:

1. No more than one free-standing sign, not exceeding two hundred (200) square feet in area the top of which is not more than twenty (20) feet in height above ground level, and which contains only the name of the owner, trade names, trade mark, products sold, and/or describes the business or activity conducted on the premises whereon such sign is located. Such sign shall be set back at least ten (10) feet from any property line and shall meet the requirements of Section 610 of this Ordinance.

2. No more than one (1) sign attached to each building or portion thereof, which sign shall not exceed one (1) square foot for each lineal foot of highway or street frontage occupied by each business conducted on the premises.

Where a building has frontage on more than one street or public highway, one (1) attached sign shall be permitted for each street frontage. Where a business occupies a building or a portion of a building that has a second exposure to a street or public way, a second attached sign may be permitted, the area of this sign not to exceed 50% of the sign area permitted on the principal frontage.

3. No more than one (1) sign denoting the architect, engineer, or contractor placed on premises where construction, repair or renovation is in progress, which sign shall not exceed thirty-two (32) square feet in area.
4. No more than one (1) sign or bulletin board identifying a place of worship, library, museum, civic, social or fraternal club or society, which sign shall not exceed thirty-two (32) square feet in area and shall be located upon the premises of such institutions. These signs may also contain other information customarily incidental to said places or organizations.
5. No more than one (1) sign advertising a real estate development or subdivision, said sign not to exceed thirty-two (32) square feet in area and shall be located on the property to be developed or subdivided. Such sign to be removed when 80 percent of the initially available property has been sold.

#### 606-E. Off-Site Signs.

1. Off-site signs may be permitted by Special Exception granted by the Board of Appeals. Any such signs shall meet the development standards set forth in Section 606-F of this Ordinance. Provided however, that nothing in this Section shall be deemed to authorize the Board of Appeals to permit any of the following types of sign:
  - a. Any sign identifying a commercial use, facility or service which is not located on the site.
  - b. Any sign identifying a product which is not produced, sold or manufactured on the premises.
  - c. Any sign which advertises or otherwise directs attention to a product, commercial service, or business activity which occurs or is generally conducted, sold, manufactured, produced or offered elsewhere than on the site where the sign is located.

606-F. Standards for Off-Site Signs.

1. All off-site signs shall meet the following development standards:
  - a. The total area of any such sign shall not exceed ten (10) square feet.
  - b. No sign shall be flashing or directly or indirectly lighted, but such signs may be of the beaded reflector type.
  - c. The top of any such sign shall be not more than fifteen (15) feet above ground level.
  - d. No sign shall be placed on the roof of any structure.
  - e. No sign shall be painted on the wall or roof of any structure, or on any fence or wall of any sort.
  - f. All signs shall be set back ten (10) feet from the property line of the property upon which they are located and shall meet the requirements of Section 610 of this Ordinance.
  - g. Upon written notice from the Zoning Inspector that a sign is unsafe, damaged or deteriorated, the owner of the site and/or the owner of the sign shall repair or remove the sign. Immediate action is required for the repair or the removal of unsafe signs. If repair or removal is not achieved within the time period specified in the written notice from the Building Inspector, the sign shall be repaired or removed by the Town and the cost shall be assessed to the property owner.

606-G. Signs Relating to Political Elections and Activities. Signs relating to political elections and activities shall be permitted under the following conditons:

1. That no sign be located upon property owned by the Town of Easton or upon any street or sidewalk.
2. That no sign be installed until such time as the owner of the site has given his or her permission in writing for the sign to be installed.
3. That all such signs be removed within ten (10) days after the date upon which the election or referendum to which they refer occurs.
4. All political signs shall conform to the development standards set forth in Section 606-F.

606-H. Special Event Notices, Temporary Promotional Sales Signs, Flags, Streamers, Pennants Prohibited. Nothing in this Ordinance shall be deemed to permit the use of special event notices, temporary promotional sales signs, flags, streamers or pennants or other items of a similar nature intended to attract the attention of persons to the premises upon which the item is located.

606-I Exclusions. The provisions of Section 606 do not apply to signs  
installed by the Town of Easton or signs relating to traffic  
safety.



## SECTION 607 CLUSTER DEVELOPMENT STANDARDS

607-A. **Purpose:** The purpose of these provisions is to encourage diversification and flexibility in the type, location, and size of sites for residential buildings. In order to preserve natural features of the area; to facilitate the protection and preservation of scenic beauty; to foster the creation of common use open spaces; standards guiding cluster developments are hereby established. In applying these provisions, no development shall be permitted which would be inconsistent with the intent and purpose of this Ordinance or contrary to the Town's Comprehensive Plan.

607-B. **Comprehensive Site Plan Requirements:** All cluster developments shall be constructed according to an approved Comprehensive Site Plan. The Plan shall make adequate provisions for access, utilities, and adequate protection of the surrounding properties, subject to approval by the Planning Commission. As a minimum, the Comprehensive Site Plan shall contain the following information. All site plans or plan elements shall be clearly titled, and numbered.

- a. A Site Plan Element is required indicating the proposed location of all buildings, parking areas, recreational facilities, vehicular and pedestrian access, and landscaping and their relationship to natural features of the site.
- b. A Site Plan Element is required which includes the proposed location and dimensions of all structures, and related areas, setbacks from property lines and other buildings, utility rights-of-way, streets, curbs, gutters, sidewalks, lighting and fire protection measures. The plan shall contain a tabular summary indicating:
  1. Total area of the site
  2. Land area devoted to open space
  3. Land area devoted to buildings
  4. Land area devoted to parking
  5. Number of units by bedroom type
  6. Overall bedroom density of the site
- c. A copy of all proposed deed restrictions, covenants, by-laws or other instruments designed to provide for continuing maintenance and control of common use areas; including any proposed Homes Association agreement or by-laws and any town agreement for maintaining open space.
- d. The architectural design of buildings shall be shown by front elevations, photographs or architectural renderings. Where a variety of designs are proposed each design shall be shown.

- e. If in the opinion of the Planning Commission, Zoning Inspector, or any town department head, additional information is required to aid in the review of the project, additional elements shall be prepared.

607-C. Development Standards: All cluster developments shall adhere to the following standards and conditions:

1. The site must be at least five (5) acres.
2. The number of dwellings on the site shall not exceed the maximum number of permitted dwellings for the zone in which the development is located.
3. All clusters proposed for multi-family housing shall be in conformance with the standards of Section 608 of this Ordinance. The number of housing units shall be in conformance with bedroom per acre provisions of Section 608.
4. Any land area resulting from the reduction of the lot size shall be provided and maintained as recreation and open space areas in accordance with Section 612. A minimum of 25% of the site must be left open.
5. Water and sewerage systems must be available.
6. Open spaces may include, but not be limited to, scenic areas, stream valleys, play areas, and recreation facilities and buildings. No more than one-half ( $\frac{1}{2}$ ) of all open space areas shall be used for recreation buildings, structures, or facilities.
7. All open space areas shall be reserved for public and/or common use in accordance with Section 612.
8. Open space area requirements may be met by providing a number of individual areas which shall in total meet the percentage of open space land area required.
9. Parking areas and roads shall not be included in computing open space areas.
10. All such open spaces shall be clearly identified on all proposed Site Plans, plats and other drawings.
11. All proposed common use areas and/or facilities shall be in accordance with the provisions of Section 612.

607-D. Review Procedures: In order to assure that all cluster developments provide adequate provisions for the health and safety of future residents all Comprehensive Site Plans shall be reviewed for consistency with all local development policies and ordinances. To accomplish this objective, the following review procedures are established:

1. Six (6) copies of all information shall be submitted to the Zoning Inspector. The Zoning Inspector shall distribute copies of the proposed project as follows:
  - a. One (1) copy to the Town Clerk.
  - b. One (1) copy to the Town Engineer.
  - c. One (1) copy to the Utilities Commission.
  - d. One (1) copy to the Planning Commission.
  - e. One (1) copy to be retained by the Zoning Inspector.
  - f. One (1) copy to the Town Attorney.
2. Within 45 days from receipt of the application and all required supporting information, the Planning Commission shall hold review meetings to discuss the proposed development with pertinent town agencies and interested parties. At the discretion of the Planning Commission, a Public Hearing may be held to obtain comments and opinions from interested parties. Fifteen days' notice of the hearing shall be given.
3. After completing a review of all information the Planning Commission shall submit its written findings and recommendations to the Board of Zoning Appeals when permitted as a special exception and shall advise the applicant when a permitted use.

## SECTION 608 MULTI-FAMILY DEVELOPMENT STANDARDS

608-A. Purpose: To provide for the construction of desirable multi-family uses in the Town; to avoid the undue concentration of population within certain districts and to insure the adequate protection of the surrounding area, the following minimum standards for multi-family development shall apply:

It is the intent of these standards to include all types of multi-family construction regardless of ownership, design, or different identifications; and standards shall include, but are not limited to: apartments, townhouses, condominiums, garden apartments, or the conversion of existing structures for multi-family dwelling units.

### 608-B. Comprehensive Site Plan Requirements

Multi-family dwellings shall be constructed according to an approved Comprehensive Site Plan. The Plan shall make adequate provisions for access, utilities, and adequate protection of the surrounding properties, subject to approval by the Planning Commission. As a minimum, the Comprehensive Site Plan shall contain the following information. All site plans or plan elements shall be clearly titled, and numbered.

- a. A Site Plan Element indicating the proposed location of all buildings, parking areas, recreational facilities, vehicular and pedestrian access, and landscaping and their relationship to natural features of the site.
- b. A Site Plan Element which includes the proposed dimensions of all structures, and related areas, setbacks from property lines and other buildings, utility rights-of-way, streets, curbs, gutters, sidewalks, lighting and fire protection measures. The plan shall contain a tabular summary indicating:
  1. Total Area of the Site
  2. Land Area Devoted to Open Spaces
  3. Land Area Devoted to Buildings
  4. Number of Bedrooms
  5. Number of Units by Bedroom Type
  6. Overall Bedroom Density of the Site
  7. Land Area Devoted to Parking and Number of Spaces
- c. A copy of all proposed deed restriction covenants, by-laws or other instrument designed to provide for continuing maintenance and control of common areas.

- d. The architectural design of buildings shall be shown by front elevations, photographs or architectural renderings. Where a variety of designs are proposed each design shall be shown.
- e. If in the opinion of the Planning Commission, Zoning Inspector, or any town department head additional information is required to aid in the review of the project, additional elements shall be prepared.

608-C. Design Standards

1. Open Space - All multi-family projects shall provide on-site open space areas at least equal to 25% of the total land area, provided, that in the CR zone, the on-site open space area shall be equal to at least 20% of the total land area. Parking spaces and setbacks shall not be included when computing open space areas.
2. Setbacks
  - a. When more than one multi-family building is constructed, the buildings shall collectively adhere to the front setback requirements of the district in which they are located, plus five (5) feet per story over two (2) stories, or portion thereof.
  - b. When more than one multi-family building is built, no building shall be closer than twenty-five (25) feet from any other multi-family building.
  - c. No multi-family structure shall be constructed at a distance of less than twenty (20) feet from adjoining property lines; except for multi-family structures constructed in the CR district, wherein the development standards for that district shall apply.
3. When more than one a multi-family building is constructed, external walkways shall be paved and lighted.
4. Off-street parking shall be provided as required by Section 600.
5. In the event that swimming facilities are designed as a part of the project, these facilities shall be enclosed by a fence not less than six (6) feet high.
6. All areas not utilized for building, off-street parking or off-street loading facilities, shall be landscaped and maintained in a suitable manner.
7. There shall be off-street loading, unloading and service areas provided. These areas shall be screened through landscaping or permanent construction from adjoining area.



## 8. Building Standards

- a. All buildings within the multi-family project shall be of compatible architectural design.
  - b. The minimum width of all living units shall be 18 feet.
  - c. In the R-7A, R-10A and R-10M districts, no more than three (3) units may be constructed with the same front setback and no more than six (6) units may be constructed in one building at first floor level. In the CR district, no more than nine (9) units may be constructed in one building at first floor level and no more than three (3) units may be constructed with the same front setback.
  - d. The facades of units shall be varied by changed front yards of not less than five feet. Variations in materials or design shall be provided in order that no more than three abutting units will have the same front yard depth or essentially the same architectural treatment of facades and roof lines.
9. Public water and sewerage systems must be available to serve the project.
  10. All multi-family developments shall meet all other standards of any Town ordinance or regulations, as applicable.

## 608-D. Density Requirements

1. In order to prevent the overcrowding of land and structures, the following bedroom per acre standards are established as a maximum standard.
  - a. R-7A District - 15 bedrooms per acre
  - b. R-10A District - 9 bedrooms per acre
2. When computing the number of bedrooms per acre, a housekeeping unit and/or a den shall be counted as a bedroom.
3. No more than 50% of the allotted bedrooms shall be contained in 3, 4 or 5 bedroom units.

## 608-E. Review Procedures

In order to assure that all multi-family developments provide adequate provisions for the health and safety of future residents all Comprehensive Development Plans shall be reviewed for consistency with all local development policies and ordinances.

1. Six copies of all information shall be submitted to the Zoning Inspector. The Zoning Inspector shall distribute copies of the proposed project as follows:
  - a. One copy to the Town Clerk
  - b. One copy to the Town Engineer
  - c. One copy to the Utilities Commission
  - d. One copy to the Planning Commission
  - e. One copy to be retained by the Zoning Inspector
  - f. One copy to the Town Attorney
2. Within 45 days from receipt of the application and all required supporting information, the Planning Commission shall hold review meetings to discuss the proposed development with pertinent town agencies and interested parties. At the discretion of the Planning Commission, a Public Hearing may be held to obtain comments and opinions from interested parties. Fifteen days' notice of the hearing shall be given.
3. After completing a review of all information the Planning Commission shall submit its written findings and recommendations to the Board of Zoning Appeals.

## SECTION 609 MINIMUM STANDARDS FOR SHOPPING CENTER DEVELOPMENT

609-A. Purpose: The following shopping center standards are established to provide for the unified development of shopping centers which offer the public convenient shopping facilities while at the same time protecting adjoining areas from any unnecessary hazards or nuisances.

### 609-B. General Standards

1. Shopping centers shall be developed according to a Comprehensive Development Plan as defined herein as approved by the Planning Commission.

Comprehensive Site Plan - All shopping centers shall be constructed according to an approved Comprehensive Site Plan. The Plan shall make adequate provisions for access, utilities, and adequate protection of the surrounding properties, subject to approval by the Planning Commission. As a minimum the Comprehensive Site Plan shall contain the following information. All site plans or plan elements shall be clearly titled, and numbered.

- a. A Site Plan Element is required indicating the proposed location of all buildings, parking areas, open spaces, vehicular and pedestrian access, and landscaping and their relationship to natural features of the site.
- b. A Site Plan Element is required which includes the proposed location and dimensions of all structures, and related areas, setbacks from property lines and other buildings, utility rights-of-way, streets, curbs, gutter, sidewalks, lighting and fire protection measures. The plan shall contain a tabular summary indicating:
  1. Total Area of the Site
  2. Land Area Devoted to Open Space
  3. Land Area Devoted to Buildings
  4. Land Area Devoted to Parking - and total spaces
  5. Number of stores by use and square footage
- c. A copy of all proposed deed restrictions, covenants, by-laws or other instrument designed to provide for continuing maintenance and control of common areas.
- d. The architectural design of buildings shall be shown by front elevations, photographs or architectural renderings. Where a variety of designs are proposed each design shall be shown.



- e. If in the opinion of the Planning Commission, Zoning Inspector, or any town department head, additional information is required to aid in the review of the project, additional elements shall be prepared.
2. Buildings shall be designed so that facades, signs and other appurtenances will have an integrated and harmonious appearance; so that parking and landscaped areas are harmonious and attractively arranged, and in a manner which will not adversely affect the appearance of surrounding development.
  3. Shopping centers shall be located where traffic congestion does not then exist on roads used for immediate access to the center, and where such congestion is not likely to be created by the proposed center; or where such congestion will be alleviated by currently scheduled improvements to access roads, by demonstrable provision for proper exits and entrances, and by internal provision for parking and traffic circulation.
  4. Shopping centers shall be served by underground sewer, gas, water, and electric facilities.
  5. Passenger parking areas and freight loading areas shall be separately located and safety provisions must be made for the protection of pedestrians, including appropriate location of roadways, parking areas, sidewalks, islands, entrances, exits, cross-overs and underpasses which are provided with drainage, lighting, directional signs, and supervision as may be required.
  6. Construction must be initiated within six (6) months of the granting of a building permit.
  7. Copies of any master lease between shopping center developers and prospective tenants must be provided. Provisions of the lease must make adequate provision for annual maintenance, security and public conveniences either with individual tenants or as the responsibility of the developer.

609-C. Permitted Uses: Land and buildings shall be designed, arranged and used only for the following enumerated uses. This provision shall not apply to neighborhood shopping centers.

1. Retail sales
2. Commercial service establishments, including but not limited to barbershops, beauty shops, apparel repair and maintenance, repair of consumer products, professional services, and automotive service.



3. Indoor recreation facilities such as movie houses, theaters, and bowling lanes.
  4. Offices and financial institutions.
  5. Eating and drinking establishments.
- 609-D. **Lot Coverage:** The ground area occupied by all buildings shall not exceed thirty (30%) percent of the gross lot or tract area.
- 609-E. **Customer Parking:** Notwithstanding any other requirement of this Code, there shall be provided one off-street parking space for each one hundred fifty square feet of gross floor area, not including basement storage.
- 609-F. **Loading Space:** Notwithstanding any other requirement of this Code, there shall be provided off-street loading space in accordance with Section 602.
- 609-G. **Paving and Illuminations:** All roadways, parking areas and pedestrian walks shall be paved with a hard surface material which shall be maintained in good condition at all times and shall be properly illuminated when used after dark in such a manner as to prevent the direct transmission of light into adjacent residential properties.
- 609-H. **Screening:** Whenever a shopping center is located adjacent to a residential development or zone, a permanent solid fence or planted area with trees or shrubs shall be provided on the side or sides adjacent to such residential area sufficient to act as a buffer to the transmission of light and sound from the center.
- 609-I. **Visibility at Intersections:** Visibility at intersections within the center and with public streets shall be maintained in accordance with Section 610.
- 609-J. **Signs:** Notwithstanding any other requirements of this Code, each shopping center shall be permitted no more than two (2) free standing signs. Such signs must conform to the development standards of Section 606-B.

All signs within the center shall be controlled by written agreement between the owners and tenants of the center, so as to avoid excessive advertising and insure an attractive and harmonious appearance throughout the center.

Only one flat wall identity sign shall be permitted for each operating business establishment, whether lighted or unlighted. Such signs shall have a surface area of not more than 10% of the front building surface of the establishment and shall be mounted flush with the building.



All individual signs shall be located within the same horizontal plane on the building facade. Where a business occupies a building or a portion of a building that has second exposure to a street or public way, a second, flat wall identity sign may be permitted, the area of this sign not to exceed 50% of the sign area permitted on the principal frontage.

609-K. Review Procedures

In order to assure that all shopping centers are developed in accordance with these standards, all Comprehensive Site Plans shall be reviewed for consistency with all local policies and ordinances. To accomplish this objective, the following review procedure is established:

1. Six (6) copies of all information shall be submitted to the Zoning Inspector. The Zoning Inspector shall distribute copies of the proposed project as follows:
  - a. One (1) copy to the Town Clerk.
  - b. One (1) copy to the Town Engineer.
  - c. One (1) copy to the Utilities Commission.
  - d. One (1) copy to the Planning Commission.
  - e. One (1) copy to be retained by the Zoning Inspector.
  - f. One (1) copy to the Town Attorney.
2. Within 45 days from receipt of the application and all required supporting information, the Planning Commission shall hold review meetings to discuss the proposed shopping center with pertinent town agencies and interested parties. At the discretion of the Planning Commission, a Public Hearing may be held to obtain comments and opinions from interested parties. Fifteen days' notice of the hearing shall be given.
3. After completing a review of all information the Planning Commission shall submit its written findings and recommendations to the Board of Zoning Appeals.
4. All hearings before the Board of Appeals shall be in accordance with the requirements of Section 900-B for Special Exceptions.

## SECTION 610 VISIBILITY AT INTERSECTIONS

610-A. Purpose: As an aid to the safe movement of vehicles at and near street intersections and in order to promote adequate protection of pedestrians, the following provisions shall apply to all corner lots. On all such lots, there shall be limitations on the height of fences, walls, gateways, ornamental structures, hedges, shrubbery and other fixtures, construction and plantings.

610-B. Standards: Such barriers to clear unobstructed visions at intersecting streets shall be limited to a height of not over three feet above the established elevation of the nearest curb, for a distance of twenty-five (25) feet along both the front and side lot lines, measured from the point of intersection of the said intersecting lot lines. No natural plantings or construction shall be permitted at a height over three (3) feet within the isosceles triangle formed by connecting the ends of the respective twenty-five (25) foot distances. The unobstructed view shall be maintained for all spaces between three (3) and ten (10) feet in height.

Within the said triangle, and in cases where front yards are terraced, the ground elevation of such front yards shall not exceed three (3) feet above the established curb elevation at the said intersecting streets.

## SECTION 611 SETBACKS FROM MAJOR ROADS

611-A. In all districts there shall be minimum setback of forty (40) feet from the right-of-way line or property line bordering the following major roads:

1. U.S. Route 50
2. Md. Route 322
3. Md. Route 333
4. Md. Route 33
5. Md. Route 328
6. Md. Route 331

SECTION 612 MINIMUM REQUIREMENTS GOVERNING THE PROVISION AND  
APPROVAL OF COMMON USE AREAS AND/OR FACILITIES

612-A. Purpose: It is the intent of this section to establish minimum standards and requirements which shall constitute prerequisites for approval of all common use areas and/or facilities. These provisions shall apply to all such proposed areas and facilities including but not limited to cluster and multi-family development, shopping centers, office or business parks, and industrial parks.

These provisions are designed to assure that all common use areas and/or facilities are planned, constructed, managed, and maintained in a suitable manner. They are necessary to assure that such areas become integral parts of various developments as proposed at the time of approval.

612-B. Requirements: The following requirements governing the approval of common use areas and/or facilities shall apply:

1. All such areas and/or facilities shall be planned as an integral part of all developments and shall be so located as to permit accessibility to said areas by residents, users, or occupants.
2. All such areas and/or facilities shall be reserved in perpetuity for residents, users, or occupants of the proposed development or the general public.
3. All such areas and/or facilities shall be owned or controlled by the applicants at the time of the submission. Evidence of such control, in the form of an appropriate legal document, shall accompany said submission.
4. All such areas and/or facilities shall be controlled, beginning at a time determined by the Planning Commission by residents, users or occupants of the proposed development or the general public. Evidence of said controls shall be submitted to the Planning Commission for their review.
5. Provisions for the continuing maintenance management and control, in the form of a legal agreement such as deed restrictions, covenants, or by-laws, or agreement with the Town of Easton, shall be provided the Planning Commission.
6. Once approved, none of the requirements for common use areas and/or facilities may be changed, without the review and approval of the Planning Commission. The Commission shall hold a Public Hearing before acting upon all such changes.

## SECTION 613 WATERFRONT DEVELOPMENT STANDARDS

613-A. Except where otherwise specifically stated elsewhere in this ordinance, the following shall control the use and development of land abutting upon a man-made or natural waterway; only land situated and lying above the mean high waterline should be considered when determining the area of a lot. The required front, setback and yard for a principal structure shall be measured from the mean high waterline except where said principal structure is a pier, wharf, landing or bouthouse.

## SECTION 614 TEMPORARY STRUCTURES

614-A. Temporary buildings and structures including mobile homes, office trailers and storage trailers incidental to construction work on the premises may be placed in all zones after a permit has been issued. When such construction work is completed or abandoned, or in six months, whichever comes first, such building or structures shall be removed unless the zoning inspector shall grant an extention which in no event will allow the temporary building or structure to remain on the premises past the time of completion of the construction work on the premises.



SECTION 700 - ADMINISTRATION AND ENFORCEMENT  
ZONING CERTIFICATES AND ZONING OCCUPANCY PERMITS

701. Administration and Enforcement - There is hereby established the Office of Zoning Inspector. It shall be the duty of the Zoning Inspector to administer and cause the enforcement of the provisions of this Ordinance. All departments, officials and public employees of Easton which are vested with the authority to issue permits or licenses shall conform to the provisions of this Ordinance and shall not issue any permit or license for any use, building, structure, or purpose which would be in conflict with the provisions of this Ordinance. Any permit or license, issued in conflict with the provisions of this Ordinance, shall be null and void. If the Zoning Inspector shall find that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structure; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to insure compliance with or to prevent violation of its provisions.
702. Zoning Certificate Required - No building or other structure shall be constructed, moved, added to, or structurally altered, or use of land changed without a certificate therefore issued by the Zoning Inspector. No zoning certificate shall be issued except in conformity with the provisions of this Ordinance, except after written order from the Board of Appeals.
703. Application for Zoning Certificate - All applications for zoning certificates shall be accompanied by site plans in duplicate, drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Zoning Inspector, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this Ordinance.



One copy of the plans shall be returned to the applicant by the Zoning Inspector, after he shall have marked such copy either as approved or disapproved and attested to the same by his signature on such copy. The second copy of the plans, similarly marked, shall be retained by the Zoning Inspector.

704. Expiration of Zoning Certificate - If the work described in any zoning certificate has not begun within six (6) months from the date of issuance thereof, said certificate shall expire.

If the work described in any zoning certificate has not been substantially completed within two (2) years of the date of issuance or unless work is satisfactorily proceeding thereon, said permit shall expire.

705. Zoning Occupancy Permits required - It shall be unlawful to use or occupy or permit the use or occupancy of any building, or premises, or both, or part thereof hereafter created, constructed, changed, converted or wholly or partly altered or enlarged in its use or structure until a zoning occupancy permit shall have been issued therefore by the Zoning Inspector, stating that the proposed use of the building or land conforms to the requirements of this Ordinance.

A temporary occupancy permit may be issued by the Zoning Inspector for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion; provided that such temporary permit may require such conditions and safeguards as will protect the safety of the occupants and the public.

The Zoning Inspector shall maintain a record of all zoning occupancy permits and copies shall be furnished upon request to any person.

Failure to obtain a zoning occupancy permit shall be a violation of this Ordinance and punishable under Section 1600 of this Ordinance.

706. Construction and Use to be as Provided in Applications, Plans, Certificates, and Zoning Occupancy Permits - Zoning certificates or zoning occupancy permits issued on the basis of site plans and applications approved by the Zoning Inspector authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction differing with that authorized shall be deemed violation of this Ordinance, and punishable as provided by Section 1600 thereof.

## SECTION 800 - BOARD OF APPEALS: PROCEDURE

801-A. Members of Board - The Board of Zoning Appeals is hereby created. The Board shall consist of three (3) members appointed by the Mayor and confirmed by the Town Council, and removable for cause, upon written charges, and after public hearing. Members shall be appointed for terms of three (3) years each. Vacancies shall be filled by appointment for the unexpired term. The Town Council shall designate one (1) alternate member for the Board of Appeals who may be empowered to sit with the Board in the absence of any member of the Board.

801-B. Proceedings of the Board of Appeals - The Board of Appeals shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this Ordinance. Meetings shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Board.

801-C. Hearings; Appeals; Notice - Appeals to the Board of Appeals concerning interpretation or administration of this Ordinance may be taken by any person aggrieved or by any officer, Commission, or Department of the governing body of the Town affected by any decision of the Zoning Inspector. Such appeals shall be taken within a reasonable time of such decision, not to exceed twenty (20) days, by filing with the Zoning Inspector and with the Board of Appeals a notice of appeal specifying the grounds thereof. The Zoning Inspector shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

The Board of Appeals shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and hold the public hearing within thirty (30) days from the date of filing of the notice of appeal. At least fifteen (15) days' notice of the time and place of such hearing shall be published in a paper of general circulation in the Town and by posting the property. At the hearing, any party may appear in person or by agent or attorney. The Board shall then decide the appeal within fifteen (15) days from the time of hearing.

801-D. Stay of Proceedings - An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Appeals after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Appeals or by the Circuit Court on application, on notice to the Zoning Inspector from whom the appeal is taken, and on due cause shown.

## SECTION 900 - THE BOARD OF APPEALS: POWERS AND DUTIES

The Board of Appeals shall have the following powers and duties:

- 900-A. Administrative Review - To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector, Building Inspector, or the Planning Commission in the enforcement of this Ordinance.
- 900-B. Special Exceptions: Conditions Governing Applications: Procedures - To hear and decide only such special exceptions as the Board of Appeals is specifically authorized to pass on by the terms of this Ordinance: to decide such questions as are involved in determining whether special exceptions should be granted and to grant special exceptions with such conditions and safeguards as are appropriate under this Ordinance, or to deny special exceptions when not in harmony with the purpose and intent of this Ordinance. A special exception shall not be granted by the Board of Appeals unless and until:
1. A written application for a special exception is submitted indicating the section of this Ordinance under which the special exception is sought and stating the grounds on which it is requested.
  2. The Board of Appeals has determined if Planning Commission review of the application is necessary, and if so, the written findings and recommendations of the Planning Commission have been received by the Board.
  3. Notice shall be given at least fifteen (15) days in advance of public hearing. The owner of the property for which special exception is sought, or his agent, shall be notified by mail. Notice of such hearings shall be posted on the property for which special exception is sought and at the Town Hall, and notice shall be published in a newspaper of general circulation in the Town, at least fifteen (15) days prior to the public hearing.
  4. The public hearing shall be held. Any party may appear in person, or by agent or attorney.
  5. The Board of Appeals shall make a finding that it is empowered under the section of this Ordinance described in the application to grant the special exception, and that the granting of the special exception will not adversely affect the public health, safety, security, morals, or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of the people living in the neighborhood.

In granting any special exception, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards when made a part of the terms under which the special exception is granted, shall be deemed a violation of this Ordinance and punishable under Section 1600 of this Ordinance. No change or addition may be made to a special exception granted by the Board of Appeals until an application for such change has been reviewed and approved by the Board of Appeals. Application procedure to be the same as for a special exception.

The Board of Appeals shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

6. When hearing evidence necessary for granting of any special exception, the Board shall consider all pertinent facts in the case, and render a decision in accordance with the following principles:
  - a. the proposed use conforms in all respects to minimum requirements of the district in which it is located;
  - b. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
  - c. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;
  - d. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
  - e. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
  - f. the proposed use will not adversely affect the established character of the area.
  - g. in addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the



proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

When hearing any application for a special exception, the Board may consider the design of the proposal, site plans, feasibility studies, or construction drawings, as in integral part of the application.

900-C. Variances; Conditions Governing Applications; Procedures - To authorize upon appeal in specific cases such variances from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship. A variance from the terms of this Ordinance shall not be granted by the Board of Appeals unless and until:

1. A written application for a variance is submitted demonstrating:
  - a. that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
  - b. that literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance;
  - c. that the special conditions and circumstances do not result from the actions of the applicant;
  - d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.

No non-conforming use of neighboring lands, structures or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

2. Notice of public hearing shall be given as in Section 801 (C) above.

3. The public hearing shall be held, Any party may appear in person, or by agent or by attorney.
4. The Board of Appeals shall make findings that the requirements of this section have been met by the applicant for a variance.
5. The Board of Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of land, building, or structure.
6. The Board of Appeals shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
7. In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under Section 1600 of this Ordinance.
8. Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of or by implication prohibited by the terms of this Ordinance in said district.
9. In granting a variance to the strict application to the provisions of Section 601 of this Ordinance when the subject property of the application is located within an off-street parking district of the Town of Easton, the Board of Appeals shall have the authority to vary the number of off-street parking spaces which would otherwise be required by the provisions of Section 601. The Board of Appeals shall not have the authority to specify the amount of off-street parking tax to be paid on behalf of the subject property under the provisions of the ordinances and resolutions creating the off-street parking district and imposing the off-street parking tax, it being the intent of this sub-section that the power to set the amount of such tax is reserved to the Town Council. Provided, however, that the provisions of this sub-section shall not alter the burden of proof necessary to sustain an application for a variance before the Board of Appeals.

900-D. Decisions of the Board of Appeals - In exercising the above mentioned powers, the Board of Appeals may, so long as such action is in conformity with the terms of this Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination to be made, and to that end shall have powers of the Zoning Inspector from whom the appeal is taken.

The concurring vote of the majority of the members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect any variation in the application of this Ordinance.

If any application or request is disapproved on the merits by the Board, thereafter the Board shall not accept application for substantially the same proposal, on the same premises, until after one (1) year from the date of such disapproval.

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If an appeal or application to the Board is perfected and the public hearing date set and public notice given, and thereafter the applicant withdraws the appeal, he shall be precluded from filing another application for substantially the same proposal on the same premises for one (1) year from the date of withdrawal.

Provided, however, that the Board may dismiss, on its own motion, or at the request of the applicant, any appeal or application when it finds that material changes in the application or appeal, or in its supporting plans, specifications or other documents have been made or when it finds that any other procedural error prejudices the rights of any person or party to the appeal or application or otherwise invalidates the appeal or application. Dismissal under this provision shall not be a bar to re-application or re-appeal within one year of the date of dismissal at the applicant's expense nor shall dismissal affect the right of any person to appeal a decision of the Zoning Inspector to the Board. The Board may, at its discretion, waive part or all of the costs of the re-application or re-appeal.

#### SECTION 1000 - APPEALS FROM THE BOARD OF APPEALS

- 1000-A. Any person or persons, or any board, taxpayer, or department of the Town aggrieved by any decision of the Board of Appeals may seek review by the Circuit Court of such decision, in the manner provided by the laws of Maryland and particularly by Article 66B, Annotated Code of Maryland.
- 1000-B. All costs incurred by the Town in transcribing records of meetings and hearings shall be borne by the appellants. All fees shall be paid to the Town, before any record of the case is submitted to the appropriate court.

#### SECTION 1100 - DUTIES OF ZONING INSPECTOR, BOARD OF APPEALS, TOWN COUNCIL AND COURT ON MATTERS OF APPEAL

It is the intent of this Ordinance that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector and that such questions shall be presented the Board of Appeals only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board of Appeals shall be to the courts as provided by law and particularly by Article 66B, Annotated Code of Maryland.



It is further the intent of this Ordinance that the duties of the Town Council in connection with this Ordinance shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this Ordinance. Under this Ordinance the Town Council shall have only the duties of (1) considering and adopting or rejecting proposed amendments or the repeal of this Ordinance, as provided by law, and (2) of establishing a schedule of fees and charges as stated in Section 1200, below.

#### SECTION 1200 - SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Town Council shall establish a schedule of fees, charges, and expenses, and a collection procedure, for zoning certificates, zoning occupancy permits, appeals, variances, special exceptions, amendments, and other matters pertaining to this Ordinance. The schedule of fees shall be posted in the offices of the Zoning Inspector and may be altered or amended only by the Town Council, upon recommendation of the Planning Commission.

No certificate, permit, special exception, or variance shall be issued unless or until such costs, charges, fees, or expenses have been paid in full, nor shall any action be taken on proceedings before the Board of Appeals unless or until preliminary charges and fees have been paid in full.

## SECTION 1300 - AMENDMENTS

### 1300-A. General

The regulations, restrictions and boundaries set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed by the Town Council.

### 1300-B. Planning Commission Review

Any proposed amendment, supplement or change shall be referred by the Town Council to the Planning Commission for an investigation and recommendation. The Planning Commission shall cause such investigation to be made as it deems necessary and may require the submission of all pertinent data and information by any person concerned; may hold such public hearings as provided by its own rules; and shall submit its report and recommendations to the Council within a reasonable length of time.

### 1300-C. Public Hearing

After receiving the recommendations of the Planning Commission, the Town Council shall hold a public hearing in relation to the proposed amendment, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time, place and nature of such hearing shall be published in a paper of general circulation in the community, and in the case of a change in classification of a particular piece of property, said property shall be posted.

### 1300-D. Conditional Rezoning Authority

The Town Council upon the zoning or rezoning of any land or lands, may (1) impose such additional restrictions, conditions, or limitations as may be deemed appropriate to preserve, improve or protect the general character and design of the lands and improvements being zoned or rezoned, or of the surrounding or adjacent lands and improvements, and (2) may, retain or reserve the power and authority to approve or disapprove the design of buildings, construction, landscaping, or other improvements, alterations, and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of this article and of this ordinance.

### 1300-E. Conditional Rezoning Procedure

In accordance with the provisions of Section 1300-D., all conditional rezonings shall be consistent with the following procedures.

1. Method of Imposing Conditions

- a. The Town Council may elect to include all fully described conditions sought to be enforced and methods of enforcement in a separate section of the ordinance effectuating any proposed rezoning; provided that all proposed changes and conditions are advertised in accordance with the provisions of Section 1300-C of this ordinance; or
- b. The Town Council may elect to enact a separate ordinance containing all fully described conditions, and methods of enforcement, provided that the separate ordinance is advertised in accordance with the provisions of Section 1300-C of this ordinance.

2. Public Hearing

All conditions sought to be imposed or any changes or modification to original conditions must be advertised in accordance with the provisions of Section 1300-C of this ordinance. These provisions shall apply as long as the conditions of the rezoning are in effect.

3. Enforcement

- a. The Zoning Inspector or the Town Engineer shall be the enforcement officer for all proposed conditions. No zoning occupancy permit shall be granted until all conditions of the rezoning are fulfilled by the applicant.
- b. No other town permits shall be issued for final occupancy or use of the property until all conditions of the rezoning are met.

4. Form of Conditions

All conditions for rezoning, shall, as a minimum contain the following:

- a. A complete description of the property or properties affected by the rezoning conditions.
- b. The names of all owners of record or, if under option, current and prospective owners.
- c. A complete description of all conditions of the rezoning and/or conditions for related improvements.

- d. Maps, graphs, charts or construction drawings, which may more fully or clearly illustrate said conditions. Any illustrative document approved as a part of all proposed conditions must be clearly labeled, numbered, and signed by the Town Clerk.
- e. The method of assuring compliance with all conditions of the rezoning including the appropriate local enforcement officer as determined by the Town Council.

5. Public Records

- a. After final approval by the Town Council, a signed, certified copy of the ordinance enacting all rezoning conditions shall be filed in the land records of Talbot County.
- b. One copy of the enacted ordinance and all related approved illustrations shall be filed in the office of the Town Clerk for public reference.

1300-F. Basis for Approving Rezoning

Where the purpose and effect of the proposed amendment is to change the zoning classification, the Town Council shall make findings of fact in each specific case including, but not limited to, the following matters:

- a. The relationship of such proposed amendment to the Town's Comprehensive Development Plan.
- b. The recommendation of the planning commission.
- c. Population change.
- d. Availability of public facilities.
- e. Present and future transportation patterns.
- f. Compatibility with existing and proposed development for the area.
- g. The Council may grant the amendment based upon a finding that there was a substantial change in the character of the neighborhood where the property is located or that there was a mistake in the existing zoning classification.

A complete record of the hearing and the votes of all members of the local legislative body shall be kept.

1300-G. Time Limitation on Rehearing Rezoning Applications

An application for a reclassification shall not be accepted for filing by the Council if the application is for the reclassification of the whole or any part of land the reclassification of which had been opposed or denied by the Town Council on the merits within twelve (12) months from the date of the Council's original decision.

The provisions of Section 1300-C relative to public hearings and official notice shall apply equally to all reclassifications.

SECTION 1400 - PROVISIONS OF ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals or general welfare. Wherever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

SECTION 1500 - COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate, and take action thereon as provided by this Ordinance.

SECTION 1600 - PENALTIES FOR VIOLATION

Violation of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than One Hundred (\$100) Dollars or imprisoned for not more than thirty (30) days, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Violations may also be considered a municipal infraction and fines may be levied in accordance with the schedule approved by the Town Council.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor,



agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violation.

#### SECTION 1700 - SEPARABILITY CLAUSE

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

## SECTION 1800 - DEFINITIONS AND INTERPRETATIONS

### 1800-A. Interpretations

For the purposes of this Ordinance, certain terms or words used herein shall be interpreted as follows:

The word person includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The word shall is mandatory, the word may is permissive.

The words used or occupied include the words intended, designed, or arranged to be used or occupied.

The word lot includes the words plot or parcel.

### 1800-B. Definitions

1. Accessory Use or Structure -- A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
2. Agriculture -- The use of land for the purposes of farming, dairying, pasturing, apiculture, horticulture, floriculture, viticulture, fish culture, and animal and poultry husbandry. The processing, packaging or manufacture of agricultural products is not included.
3. Building or Structure, Height of -- The vertical distance from the average finished grade at the structure to the highest point of the coping of a flat roof, the deck line of a mansard roof, the mean height level between eaves and ridge for gable, hip, and gambrel roofs, or the highest point on other structures.
4. Building Area -- The area of a lot remaining after all setback lines are established.
5. Commercial -- When used in conjunction with a use shall mean the use is open to the general public and a fee is charged for a service or a product.
- 5A. Drive-In Restaurant -- Any place or establishment, merchandising or dispensing food or drink at which the customer is served:
  - a. While sitting in an automobile or other motor vehicle; or

- b. Through an interior or exterior sales window, counter or serving area, and in which a substantial part of the food or drink merchandised and dispensed has been prepared and packaged so as to facilitate its consumption outside the structure in which the food or drink is dispensed.
- 5.1. Contained multi-use facility -- Incorporation of two or more uses otherwise permitted in the Zone in a building existing as of January 1, 1986 of less than twenty-five thousand (25,000) square feet.
6. Dwelling -- Any building or portion thereof occupied or intended to be occupied exclusively for residence purposes, but not including a tent or room in a hotel or motel.
- a. Dwelling, Single-Family: A detached building designed for or used by one family or housekeeping unit.
  - b. Dwelling, Two-Family: A detached building designed for or used by not more than two (2) families or housekeeping units.
  - c. Dwelling, Duplex: One family dwelling with one wall in common with only one adjacent building.
  - d. Dwelling, Attached: One-family dwelling on a permanent foundation, the walls on two sides of which are in common with the walls of adjoining dwellings and are party walls.
  - e. Dwelling, Multi-Family: A building designed for or used by three (3) or more families provided that the number of families does not exceed the number of units provided.
7. Family -- One or more persons occupying a single housekeeping unit and using common cooking facilities.
8. Home Occupations -- Activities conducted entirely within a single-family dwelling or accessory residential structure by members of the family actually living on the premise. There shall be no display except a non-illuminated sign not exceeding four (4) square feet in area. There shall be no outside display or storage of materials or trucks connected with the activity. The exterior of the building shall not be altered to change its appearance as a residential structure or accessory residential structure. No equipment or activities will be permitted which may be detrimental to a neighborhood for such reasons as odor, smoke, dust, fumes, fire, vibration, noise or hazardous conditions because of fire or explosion. No activity will be permitted which will generate an unusual amount of traffic in the neighborhood.

9. Home Professional Offices -- Office of an artist, writer, doctor, lawyer, dentist, architect, engineer, accountant, real estate or insurance agent, salesman, surveyor and other similar offices conducted within the home of the practitioner provided that the total area used within a dwelling shall not exceed fifteen (15%) percent of the total square footage of living area of the dwelling in which the practitioner lives, with no more than one employee not a member of the family and when said uses will not generate an unusual amount of traffic to the site.
10. Junk Yard -- Any land or building or part thereof used for the abandonment, sale, storage, collecting or baling of paper, rags, scrap metals, other scrap or discarded materials, or the abandonment, demolition, dismantling, storage, salvaging or sale of automobiles or other vehicles not in running condition, or machinery, or parts thereof.
11. Kennel -- Any structure or place used for the housing of three (3) or more dogs or cats.
12. Kennel, Commercial -- Any structure or place used for the housing of three (3) or more dogs or cats for which a fee is charged.
13. Lot -- For zoning purposes, as covered by this Ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, and may consist of:
- a. A single lot of record.
  - b. A portion of a lot of record.
  - c. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.
  - d. A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Ordinance.
14. Lot Coverage -- The maximum area of a lot which may be covered by all buildings and structures.

15. Lot Frontage -- The front of a lot shall be construed to be the portion nearest to any public street or way. For the purpose of determining yard requirements of corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage.
16. Lot Measurements:
  - a. Area -- The total land area within all lot lines.
  - b. Depth -- The average horizontal distance between the front and rear lot lines.
  - c. Width -- The horizontal distance between the side lot lines measured at the required front building line.
17. Lot of Record -- A lot which is part of a subdivision recorded in the office of the Clerk of Circuit Court, or a lot or parcel described by metes and bounds, the description of which has been so recorded.
18. Mobile Home -- Any vehicle or portable structure twenty (20) feet or less in width mounted or designed for mounting on wheels, with or without wheels, used or intended for use as a dwelling, whether or not on a foundation including structural additions. It may include expandable or double-wide units and needs no further installation of heating system or other materials. A mobile home shall also include a mobile unit having the same structural concept but designed solely for commercial purposes, having none of the features of a dwelling.
19. Mobile Home Park -- Any site designed to accommodate three (3) or more mobile homes, planned and developed in accordance with the standards adopted by the Town Council.
20. Mobile Home Subdivision -- Any site designed to accommodate mobile homes in accordance with the provisions of Section 611; provided that the lots within said subdivision conform to the minimum lot area for the zone in which the site is located.
21. Modular Home -- A dwelling composed of prefabricated sections, not designed to be mounted on wheels, which are transported separately to a building site and which requires further installation of materials for completion.
22. Outdoor Advertising Business -- Provision for outdoor displays or display space on a lease or rental basis only.



- 22A. Principal Use -- The primary activity or structure for which a site is used.
23. Private Clubs and Lodge -- Any building which serves as a meeting place for a selected membership, together with recreation and dining facilities which are not open to the general public.
24. Recreational Camp or Resort -- Any area of land or water on which accommodations for temporary occupancy are located or may be placed, including hotels, cabins and tents, and which is primarily used for recreational purposes and retains an open-air or natural character.
- 24A. Restaurant -- A public facility serving food cooked to order served at tables or booths on the premises.
25. Setback -- A line beyond which no building or structure is permitted to extend.
26. Shopping Center -- A group of commercial establishments of similar architectural characteristics and design, planned, developed and owned or managed as a unit, with on-site parking.
27. Shopping Center - Neighborhood -- A group of commercial establishments providing for the sale of convenience goods or personal services. Its size in square footage must be between 5,000 and 30,000 square feet of gross floor area.
28. Shopping Center - Community -- A commercial establishment designed to provide the basic facilities found in a neighborhood center, with a wider range of commercial establishments. A community shopping center ranges from 30,000 to 200,000 square feet of gross floor area.
29. Shopping Center - Regional -- A commercial establishment designed to provide a full scope of retail sales and services. It is designed to attract customers from an area of greater population than the county. Its size must be a minimum of 200,000 square feet of gross floor area.
30. Sign -- Any device designed to inform, or attract the attention of persons not on the premises on which the sign is located, provided that the following shall not be included in the application of the regulations herein:
- a. Signs not exceeding one (1) square foot in area and bearing only property numbers, post box

numbers; names of occupants of premises not having commercial connotations.

- b. Flags and insignias of any government except when displayed in connection with commercial promotion.
  - c. Legal notices; identification, information, or directional signs erected or required by governmental bodies.
  - d. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
  - e. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
31. Signs, Number and Surface Area -- For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.
- The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.
32. Sign, On-Site -- A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises.
33. Sign, Off-Site -- A sign other than an on-site sign.
34. Special Exception -- A special exception is a use that would not be appropriate generally or without restriction throughout the zone, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zone as special exceptions, if specific provision for such special exceptions is made in this zoning ordinance.

35. Street Line -- The right-of-way line of a street.
36. Structure -- Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, billboards, poster panels and fences in excess of forty-two (42) inches in height.
37. Trailer -- Any vehicle or portable structure designed for temporary occupancy; or which contains holding tanks for waste disposal, or can operate independently of sewer, water and electrical systems; including travel trailers, pick-up campers, bus campers, tent campers, tents or other temporary vehicles, which require installation to utility systems.
38. Yard -- An open space area other than a court, unencumbered by buildings or structures on a lot unoccupied and unobstructed from the ground upward, except as otherwise provided in this Ordinance. All such yards shall be landscaped with trees or shrubs and grass or other decorative plantings and maintained in a suitable manner.
39. Yard, Front -- A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street line and the main building or any projections thereof. On corner lots, the front yard shall be considered as parallel to all streets.
40. Yard, Rear -- A yard extending across the rear of the lot between the side lot lines and measured between the rear property line and the rear of the principal building or any projection.
41. Yard, Side -- A yard between the main building and the side line of the lot and extending from the front yard to the rear yard and being the minimum horizontal distance between the side lot line and side of the main buildings or any projections thereof.

#### SECTION 1900 - REPEAL OF CONFLICTING ORDINANCES: EFFECTIVE DATE

All ordinances or parts of ordinances in conflict with this Zoning Ordinance, or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect. This Ordinance shall become effective on November 5, 1979.

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